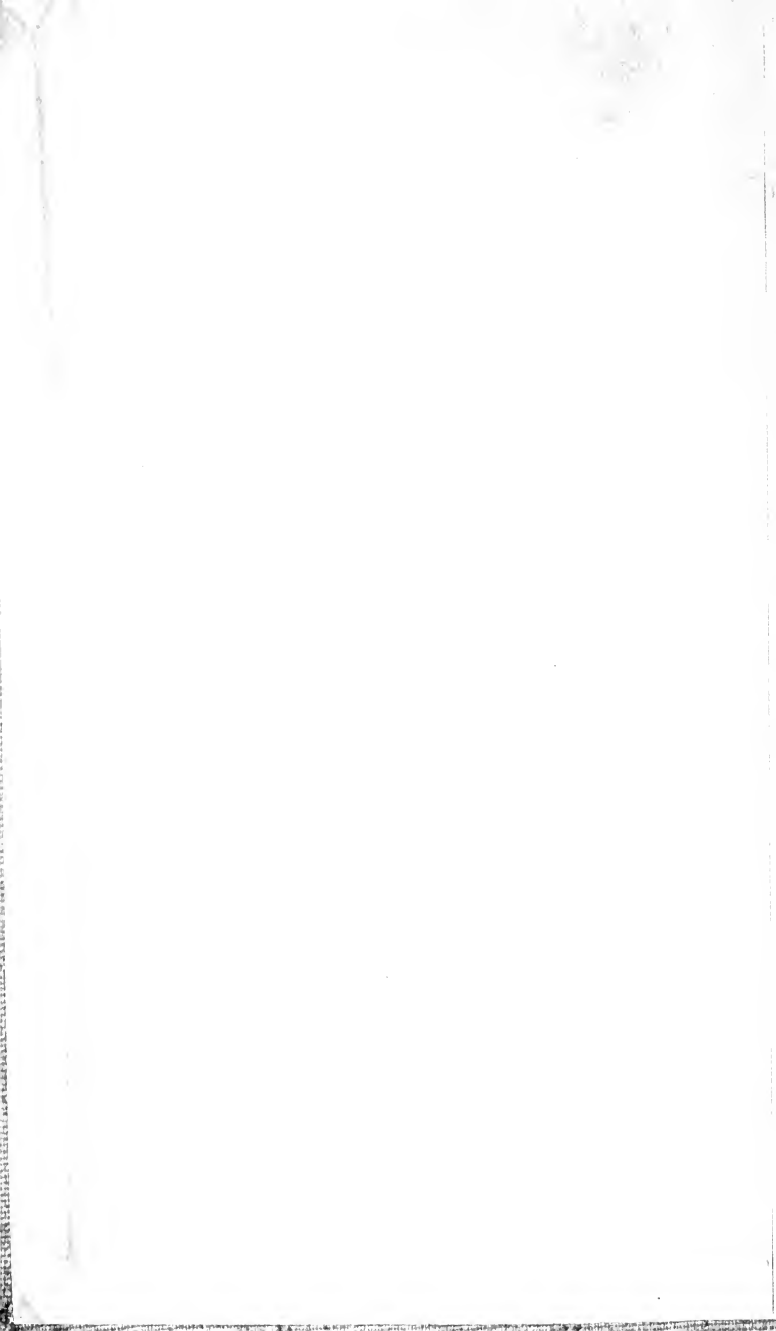


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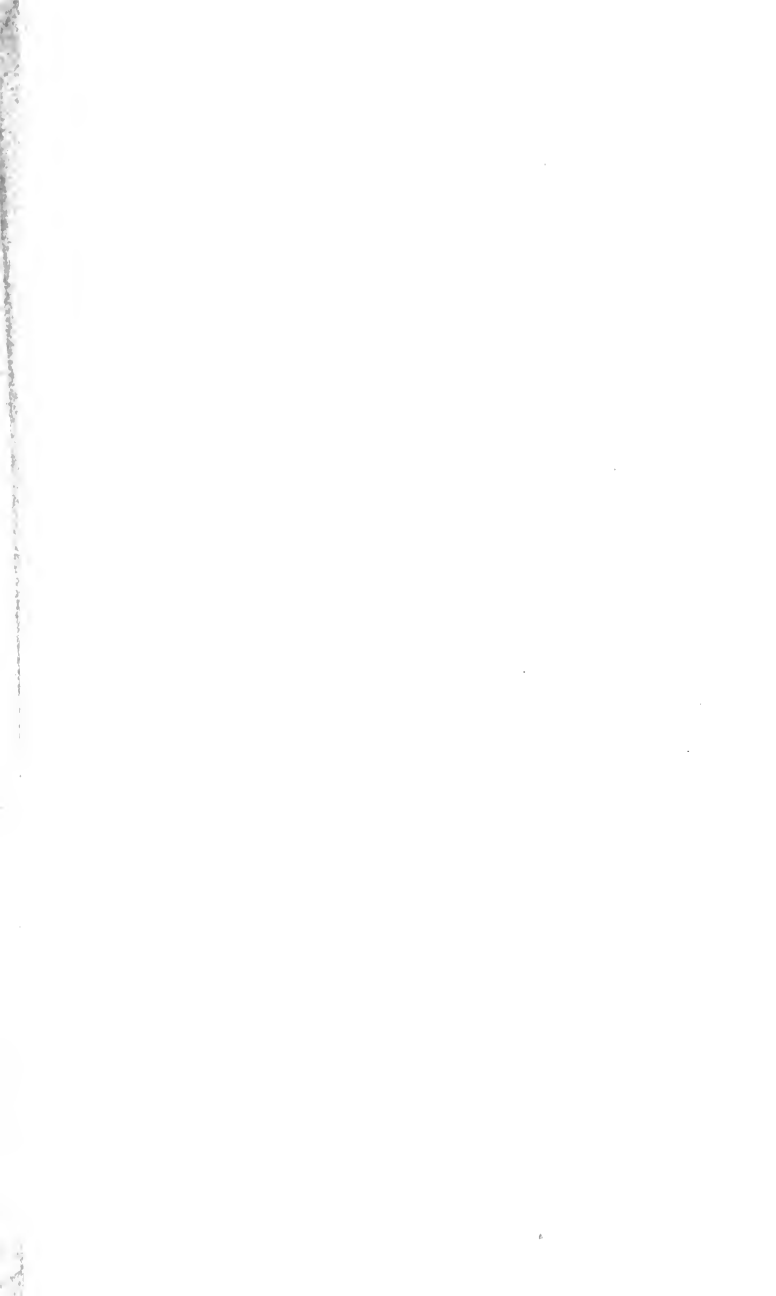




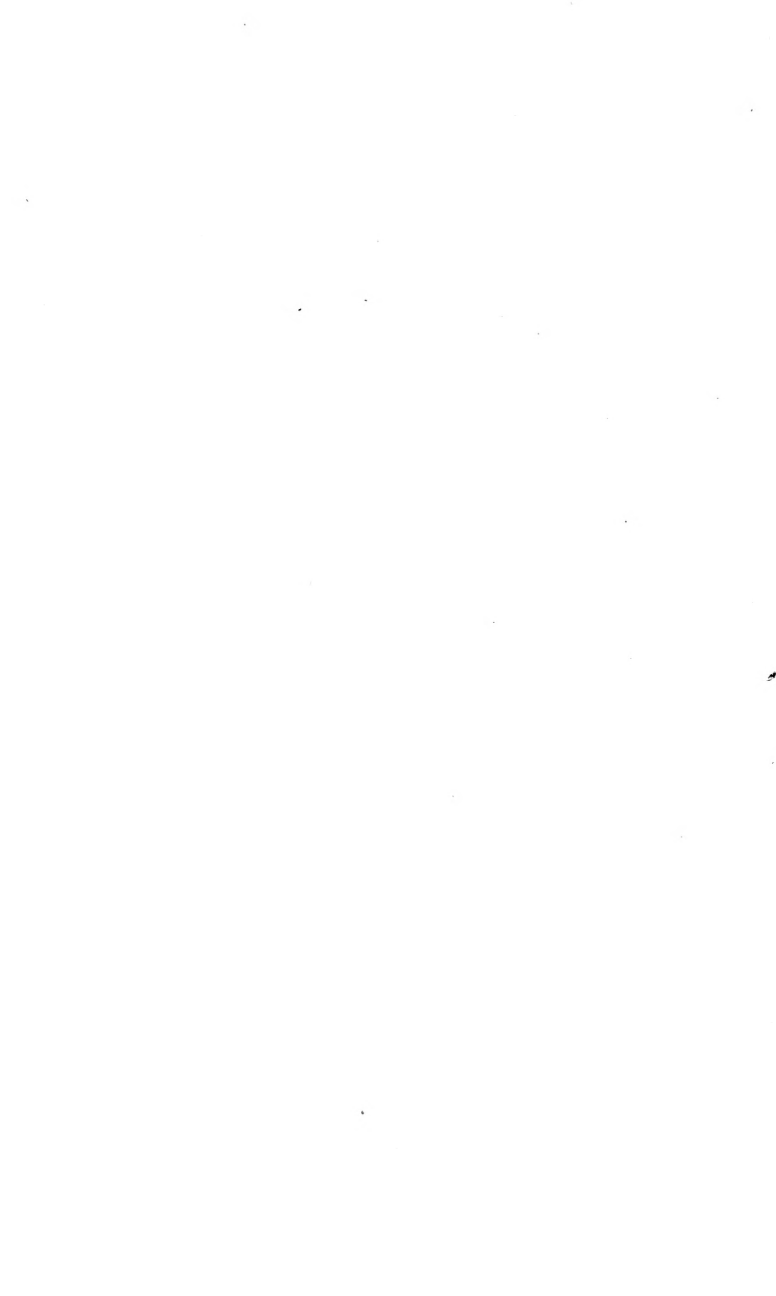
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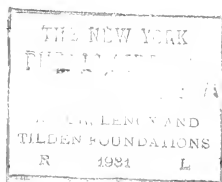
U.S.

President









To the Senate:

In response to Senate resolution of December 6 address to me, and to the two Senate resolutions address to him, the Secretary of War has, by my direction, submitted to me a report which I herewith send to the Senate, together with several documents, including a letter of General Nettleton and memoranda as to precedents for the summary discharge or mustering out of regiments or companies, some or all of the members of which had been guilty of misconduct.

I ordered the discharge of nearly all the members of Companies B, C, and D of the Twenty-fifth Infantry by name, in the exercise of my constitutional power and in pursuance of what, after full consideration, I found to be my constitutional duty as Commander in Chief of the United States Army. I am glad to avail myself of the opportunity afforded by these resolutions to lay before the Congress the following facts as to the murderous conduct of certain members of the companies in question and as to the conspiracy by which many of the other members of these companies saved the criminals from justice, to the disgrace of the United States uniform.

I call your attention to the accompanying reports of Maj. Augustus P. Blocksom, of Lieut. Col. Leonard A. Lovering, and of Brig. Gen. Ernest A. Garlington, the Inspector-General of the United States Army, of their investigation into the conduct of the troops in question. An effort has been made to discredit the fairness of the investigation into the conduct of these colored troops by pointing out that General Garlington is a Southerner. Precisely the same action would have been taken had the troops been white—indeed, the discharge would probably have been made in more summary fashion. General Garlington is a native of South Carolina; Lieutenant-Colonel Lovering is a native of New Hampshire; Major Blocksom is a native of Ohio. As it happens, the disclosure of the guilt of the troops was made in the report of the officer





who comes from Ohio, and the efforts of the officer who comes from South Carolina were confined to the endeavor to shield the innocent men of the companies in question, if any such there were, by securing information which would enable us adequately to punish the guilty. But I wish it distinctly understood that the fact of the birthplace of either officer is one which I absolutely refuse to consider. The standard of professional honor and of loyalty to the flag and the service is the same for all officers and all enlisted men of the United States Army, and I resent with the keenest indignation any effort to draw any line among them based upon birthplace, creed, or any other consideration of the kind. I should put the same entire faith in these reports if it had happened that they were all made by men coming from some one State, whether in the South or the North, the East or the West, as I now do, when, as it happens, they were made by officers born in different States.

Major Blocksom's report is most careful, is based upon the testimony of scores of eyewitnesses—testimony which conflicted only in nonessentials and which established the essential facts beyond chance of successful contradiction. Not only has no successful effort been made to traverse his findings in any essential particular, but, as a matter of fact, every trustworthy report from outsiders amply corroborates them, by far the best of these outside reports being that of Gen. A. B. Nettleton, made in a letter to the Secretary of War, which I herewith append; General Nettleton being an ex-Union soldier, a consistent friend of the colored man thruout his life, a lifelong Republican, a citizen of Illinois, and Assistant Secretary of the Treasury under President Harrison.

It appears that in Brownsville, the city immediately beside which Fort Brown is situated, there had been considerable feeling between the citizens and the colored troops of the garrison companies. Difficulties had occurred, there being a conflict of evidence as to whether the citizens or the colored troops were to blame. My impression is that, as a matter of fact, in these difficulties there was blame attached to both sides; but this is a wholly unimportant matter for our present purpose, as nothing that occurred offered in any shape or way an excuse or justification for the atrocious conduct of the troops when, in lawless and murderous spirit, and under cover of the night, they made their attack upon the citizens.

The attack was made near midnight on August 13. The following facts as to this attack are made clear by Major Blocksom's investigation and have not been, and, in my judgment, can not be, successfully controverted. From 9 to 15 or 20 of the colored soldiers took part in the attack. They leapt over the walls from the barracks and hurried thru the town. They shot at whomever they saw moving, and they shot into houses where they saw lights. In some of these houses there were women and children, as the would-be murderers must have known. In one house in which there were two women and five children some ten

shots went thru at a height of about $4\frac{1}{2}$ feet above the floor, one putting out the lamp upon the table. The lieutenant of police of the town heard the firing and rode toward it. He met the raiders, who, as he stated, were about 15 colored soldiers. They instantly started firing upon him. He turned and rode off, and they continued firing upon him until they had killed his horse. They shot him in the right arm (it was afterwards amputated above the elbow). A number of shots were also fired at two other policemen. The raiders fired several times into a hotel, some of the shots being aimed at a guest sitting by a window. They shot into a saloon, killing the bartender and wounding another man. At the same time other raiders fired into another house in which women and children were sleeping, two of the shots going thru the mosquito bar over the bed in which the mistress of the house and her two children were lying. Several other houses were struck by bullets. It was at night, and the streets of the town are poorly lighted, so that none of the individual raiders were recognized; but the evidence of many witnesses of all classes was conclusive to the effect that the raiders were negro soldiers. The shattered bullets, shells, and clips of the Government rifles, which were found on the ground, are merely corroborative. So are the bullet holes in the houses; some of which it appears must, from the direction, have been fired from the fort just at the moment when the soldiers left it. Not a bullet hole appears in any of the structures of the fort.

The townspeople were completely surprized by the unprovoked and murderous savagery of the attack. The soldiers were the aggressors from start to finish. They met with no substantial resistance, and one and all who took part in that raid stand as deliberate murderers, who did murder one man, who tried to murder others, and who tried to murder women and children. The act was one of horrible atrocity, and so far as I am aware, unparalleled for infamy in the annals of the United States Army.

The white officers of the companies were completely taken by surprise, and at first evidently believed that the firing meant that the townspeople were attacking the soldiers. It was not until 2 or 3 o'clock in the morning that any of them became aware of the truth. I have directed a careful investigation into the conduct of the officers, to see if any of them were blameworthy, and I have approved the recommendation of the War Department that two be brought before a court-martial.

As to the noncommissioned officers and enlisted men, there can be no doubt whatever that many were necessarily privy, after if not before the attack, to the conduct of those who took actual part in this murderous riot. I refer to Major Blocksom's report for proof of the fact that certainly some and probably all of the noncommissioned officers in charge of quarters who were responsible for the gun-racks and had keys thereto in their personal possession knew what men were engaged in the attack.

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Major Penrose, in command of the post, in his letter (included in the Appendix) gives the reasons why he was reluctantly convinced that some of the men under him—as he thinks, from 7 to 10—got their rifles, slipped out of quarters to do the shooting, and returned to the barracks without being discovered, the shooting all occurring within two and a half short blocks of the barracks. It was possible for the raiders to go from the fort to the farthest point of firing and return in less than ten minutes, for the distance did not exceed 350 yards.

Such are the facts of this case. General Nettleton, in his letter herewith appended, states that next door to where he is writing in Brownsville is a small cottage where a children's party had just broken up before the house was riddled by United States bullets, fired by United States troops, from United States Springfield rifles, at close range, with the purpose of killing or maiming the inmates, including the parents, and children who were still in the well-lighted house, and whose escape from death under such circumstances was astonishing. He states that on another street he daily looks upon fresh bullet scars where a volley from similar Government rifles was fired into the side and widows of a hotel occupied at the time by sleeping or frightened guests from abroad who could not possibly have given any offense to the assailants. He writes that the chief of the Brownsville police is again on duty from hospital, and carries an empty sleeve because he was shot by Federal soldiers from the adjacent garrison in the course of their murderous foray; and not far away is the fresh grave of an unoffending citizen of the place, a boy in years, who was wantonly shot down by these United States soldiers while unarmed and attempting to escape.

The effort to confute this testimony so far has consisted in the assertion or implication that the townspeople shot one another in order to discredit the soldiers—an absurdity too gross to need discussion, and unsupported by a shred of evidence. There is no question as to the murder and the attempted murders; there is no question that some of the soldiers were guilty thereof; there is no question that many of their comrades privy to the deed have combined to shelter the criminals from justice. These comrades of the murderers, by their own action, have rendered it necessary either to leave all the men, including the murderers, in the Army, or to turn them all out; and under such circumstances there was no alternative, for the usefulness of the Army would be at an end were we to permit such an outrage to be committed with impunity.

In short, the evidence proves conclusively that a number of the soldiers engaged in a deliberate and concerted attack, as cold blooded as it was cowardly; the purpose being to terrorize the community, and to kill or injure men, women, and children in their homes and beds or on the streets, and this at an hour of the night when concerted or effective resistance or defense was out of the question, and when detection and identification of the criminals in the United States uniform was w

impossible. So much for the original crime. A blacker never stained the annals of our Army. It has been supplemented by another, only less black, in the shape of a successful conspiracy of silence for the purpose of shielding those who took part in the original conspiracy of murder. These soldiers were not school boys on a frolic. They were full-grown men, in the uniform of the United States Army, armed with deadly weapons, sworn to uphold the laws of the United States, and under every obligation of oath and honor not merely to refrain from criminality, but with the sturdiest rigor to hunt down criminality; and the crime they committed or connived at was murder. They perverted the power put into their hands to sustain the law into the most deadly violation of the law. The noncommissioned officers are primarily responsible for the discipline and good conduct of the men; they are appointed to their positions for the very purpose of preserving this discipline and good conduct, and of detecting and securing the punishment of every enlisted man who does what is wrong. They fill, with reference to the discipline, a part that the commissioned officers are of course unable to fill, altho the ultimate responsibility for the discipline can never be shifted from the shoulders of the latter. Under any ordinary circumstances the first duty of the noncommissioned officers, as of the commissioned officers, is to train the private in the ranks so that he may be an efficient fighting man against a foreign foe. But there is an even higher duty, so obvious that it is not under ordinary circumstances necessary so much as to allude to it—the duty of training the soldier so that he shall be a protection and not a menace to his peaceful fellow-citizens, and above all to the women and children of the nation. Unless this duty is well performed, the Army becomes a mere dangerous mob; and if conduct such as that of the murderers in question is not, where possible, punished, and, where this is not possible, unless the chance of its repetition is guarded against in the most thoroughgoing fashion, it would be better that the entire Army should be disbanded. It is vital for the Army to be imbued with the spirit which will make every man in it, and above all, the officers and noncommissioned officers, feel it a matter of highest obligation to discover and punish, and not to shield, the criminal in uniform.

Yet some of the noncommissioned officers and many of the men of the three companies in question have banded together in a conspiracy to protect the assassins and would-be assassins who have disgraced their uniform by the conduct above related. Many of these noncommissioned officers and men must have known, and all of them may have known, circumstances which would have led to the conviction of those engaged in the murderous assault. They have stolidly and as one man broken their oaths of enlistment and refused to help discover the criminals.





By my direction every effort was made to persuade those innocent of murder among them to separate themselves from the guilty by helping bring the criminals to justice. They were warned that if they did not take advantage of the offer they would all be discharged from the service and forbidden again to enter the employ of the Government. They refused to profit by the warning. I accordingly had them discharged. If any organization of troops in the service, white or black, is guilty of similar conduct in the future I shall follow precisely the same course. Under no circumstances will I consent to keep in the service bodies of men whom the circumstances show to be a menace to the country. Incidentally I may add that the soldiers of longest service and highest position who suffered because of the order, so far from being those who deserve most sympathy, deserve least, for they are the very men upon whom we should be able especially to rely to prevent mutiny and murder.

People have spoken as if this discharge from the service was a punishment. I deny emphatically that such is the case, because as punishment it is utterly inadequate. The punishment meet for mutineers and murderers such as those guilty of the Brownsville assault is death; and a punishment only less severe ought to be meted out to those who have aided and abetted mutiny and murder and treason by refusing to help in their detection. I would that it were possible for me to have punished the guilty men. I regret most keenly that I have not been able to do so.

Be it remembered always that these men were all in the service of the United States under contracts of enlistment, which by their terms and by statute were terminable by my direction as Commander in Chief of the Army. It was my clear duty to terminate those contracts when the public interest demanded it; and it would have been a betrayal of the public interest on my part not to terminate the contracts which were keeping in the service of the United States a body of mutineers and murderers.

Any assertion that these men were dealt with harshly because they were colored men is utterly without foundation. Officers or enlisted men, white men or colored men, who were guilty of such conduct, would have been treated in precisely the same way; for there can be nothing more important than for the United States Army, in all its membership, to understand that its arms can not be turned with impunity against the peace and order of the civil community.

There are plenty of precedents for the action taken. I call your attention to the memoranda herewith submitted from the Military Secretary's office of the War Department, and a memorandum from the Military Secretary enclosing a piece by ex-Corporal Hesse, now chief of division in the Military Secretary's office, together with a letter from District Attorney James Wilkinson, of New Orleans. The district attorney's letter recites several cases in which white United States soldiers, being arrested for crime, were tried, and every soldier and employee of the

regiment, or in the fort at which the soldier was stationed, volunteered all they knew, both before and at the trial, so as to secure justice.

In one case the soldier was acquitted. In another case the soldier was convicted of murder, the conviction resulting from the fact that every soldier, from the commanding officer to the humblest private, united in securing all the evidence in their power about the crime. In other cases, for less offense, soldiers were convicted purely because their comrades in arms, in a spirit of fine loyalty to the honor of the service, at once told the whole story of the troubles and declined to identify themselves with the criminals.

During the civil war numerous precedents for the action taken by me occurred in the shape of the summary discharge of regiments or companies because of misconduct on the part of some or all of their members. The Sixtieth Ohio was summarily discharged, on the ground that the regiment was disorganized, mutinous, and worthless. The Eleventh New York was discharged by reason of general demoralization and numerous desertions. Three companies of the Fifth Missouri Cavalry and one company of the Fourth Missouri Cavalry were mustered out of the service of the United States without trial by court-martial by reason of mutinous conduct and disaffection *of the majority of the members of these companies* (an almost exact parallel to my action). Another Missouri regiment was mustered out of service because it was in a state bordering closely on mutiny. Other examples, including New Jersey, Maryland, and other organizations, are given in the inclosed papers.

I call your particular attention to the special field order of Brig. Gen. U. S. Grant, issued from the headquarters of the Thirteenth Army Corps on November 16, 1862, in reference to the Twentieth Illinois. Members of this regiment had broken into a store and taken goods to the value of some \$1,240, and the rest of the regiment, including especially two officers, failed, in the words of General Grant, to "exercise their authority to ferret out the men guilty of the offenses." General Grant accordingly mustered out of the service of the United States the two officers in question, and assessed the sum of \$1,240 against the said regiment as a whole, officers and men to be assessed pro rata on their pay. In its essence this action is precisely similar to that I have taken; altho the offense was of course trivial compared to the offense with which I had to deal.

Ex-Corporal Hesse recites what occurred in a United States regular regiment in the spring of 1860. (Corporal Hesse subsequently, when the regiment was surrendered to the Confederates by General Twiggs, saved the regimental colors by wrapping them about his body, under his clothing, and brought them north in safety, receiving a medal of honor for his action.) It appears that certain members of the regiment lynched a barkeeper who had killed one of the soldiers. Being unable to discover the culprits, Col. Robert E. Lee, then in command of the Department of

Texas, ordered the company to be disbanded and the members transferred to other companies and discharged at the end of their enlistment, without honor. Owing to the outbreak of the civil war, and the consequent loss of records and confusion, it is not possible to say what finally became of this case.

When General Lee was in command of the Army of Northern Virginia, as will appear from the inclosed clipping from the Charlotte Observer, he issued an order in October, 1864, disbanding a certain battalion for cowardly conduct, stating at the time his regret that there were some officers and men belonging to the organization who, altho not deserving it, were obliged to share in the common disgrace because the good of the service demanded it.

In addition to the discharges of organizations, which are of course infrequent, there are continual cases of the discharge of individual enlisted men without honor and without trial by court-martial. The official record shows that during the fiscal year ending June 30, last, such discharges were issued by the War Department without trial by court-martial in the cases of 352 enlisted men of the Regular Army, 35 of them being on account of "having become disqualified for service thru own misconduct." Moreover, in addition to the discharges without honor ordered by the War Department, there were a considerable number of discharges without honor issued by subordinate military authorities under paragraph 148 of the Army Regulations, "where the service has not been honest and faithful—that is, where the service does not warrant reenlistment."

So much for the military side of the case. But I wish to say something additional, from the standpoint of the race question. In my message at the opening of the Congress I discuss the matter of lynching. In it I gave utterance to the abhorrence which all decent citizens should feel for the deeds of the men (in almost all cases white men) who take part in lynchings, and at the same time I condemned, as all decent men of any color should condemn, the action of those colored men who actively or passively shield the colored criminal from the law. In the case of these companies we had to deal with men who in the first place were guilty of what was practically the worst possible form of lynching—for a lynching is in its essence lawless and murderous vengeance taken by an armed mob for real or fancied wrongs—and who in the second place covered up the crime of lynching by standing with a vicious solidarity to protect the criminals.

It is of the utmost importance to all our people that we shall deal with each man on his merits as a man, and not deal with him merely as a member of a given race; that we shall judge each man by his conduct and not his color. This is important for the white man, and it is far more important for the colored man. More evil and sinister counsel never was given to any people than that given to colored men by those

advisers, whether black or white, who, by apology and condonation, encourage conduct such as that of the three companies in question. If the colored men elect to stand by criminals of their own race because they are of their own race, they assuredly lay up for themselves the most dreadful day of reckoning. Every farsighted friend of the colored race in its efforts to strive onward and upward, should teach first, as the most important lesson, alike to the white man and the black, the duty of treating the individual man strictly on his worth as he shows it. Any conduct by colored people which tends to substitute for this rule the rule of standing by and shielding an evil doer because he is a member of their race, means the inevitable degradation of the colored race. It may and probably does mean damage to the white race, but it means ruin to the black race.

Thruout my term of service in the Presidency I have acted on the principle thus advocated. In the North as in the South I have appointed colored men of high character to office, utterly disregarding the protests of those who would have kept them out of office because they were colored men. So far as was in my power, I have sought to secure for the colored people all their rights under the law. I have done all I could to secure them equal school training when young, equal opportunity to earn their livelihood, and achieve their happiness when old. I have striven to break up peonage; I have upheld the hands of those who, like Judge Jones and Judge Speer, have warred against this peonage, because I would hold myself unfit to be President if I did not feel the same revolt at wrong done a colored man as I feel at wrong done a white man. I have condemned in unstinted terms the crime of lynching perpetrated by white men, and I should take instant advantage of any opportunity whereby I could bring to justice a mob of lynchers. In precisely the same spirit I have now acted with reference to these colored men who have been guilty of a black and dastardly crime. In one policy, as in the other, I do not claim as a favor, but I challenge as a right, the support of every citizen of this country, whatever his color, provided only he has in him the spirit of genuine and far-sighted patriotism.

THEODORE ROOSEVELT.

THE WHITE HOUSE,
December 19, 1906.



APPENDIX 1.

AFFRAY AT BROWNSVILLE, TEX.,
AUGUST 13 AND 14, 1906.

**INVESTIGATION OF THE CONDUCT OF
UNITED STATES TROOPS**

(COMPANIES B, C, AND D, TWENTY-FIFTH INFANTRY)

STATIONED AT

FORT BROWN, TEX.

REPORTS

OF

MAJ. AUGUSTUS P. BLOCKSOM,
INSPECTOR-GENERAL'S DEPARTMENT.

LIEUT. COL. LEONARD A. LOVERING,
FOURTH INFANTRY, ACTING INSPECTOR-GENERAL,

AND

BRIG. GEN. ERNEST A. GARLINGTON,
INSPECTOR-GENERAL, UNITED STATES ARMY.



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RL 05-21

REPORT OF MAJ. AUGUSTUS P. BLOCKSOM, INSPECTOR-GENERAL'S DEPARTMENT.

BROWNSVILLE, TEX., *August 29, 1906.*

SIR: I have the honor to report investigation of trouble caused by soldiers of Twenty-fifth Infantry, midnight August 13. I arrived at Brownsville the night of August 18.

Appended are copies of telegram and letters of Major Penrose, marked A to D; telegrams sent by me, A' to F'; affidavits of noncommissioned officers in charge of quarters, etc., A'' to F''; testimony taken by Citizens' Committee, etc., A''' to B'''. They present a fair account of the occurrence.

I examined privately the *five* officers present when trouble occurred (Major Penrose, Captains Lyon and Macklin, Lieutenants Grier and Lawrason, all of Twenty-fifth Infantry), all men who made affidavits, etc., A' to F' (as well as post noncommissioned staff, a number of old noncommissioned officers in each company, etc.), all important witnesses in A''' to B'''. Mayor Combe, Mr. Dominguez, Mr. and Mrs. Evans, etc. I interviewed nearly all prominent officials, Federal, State, and county, saloon keepers, and other citizens of all classes. I examined the houses, interviewing inmates, of Messrs. Cowan, Randall, Starck, and Yturria, observing where shots entered and left; also saloon where bartender was killed and a number of other buildings having bullet marks.

The committee invited by Major Penrose to investigate, referred to in D', practically delegated its authority to Captain McDonald, of State Rangers, who is also a detective. He was given every assistance by the commanding officer. He served the warrants the first time.

CAUSES.

1. The soldiers heard they were not to go to Camp Mabry because Texas troops had threatened to use ball cartridges against them in maneuvers. They knew Colonel Hoyt made a request that the Twenty-fifth be not sent to Texas.

2. The people did not desire the colored troops and thought they should not be sent here. I learned this *before* the rumored abandonment of Brown from prominent citizens, members of the Committee of Safety, etc. I think requests were sent to Senators, Congressmen, etc., to use their influence in the matter, but am not positive. If a fact, it is probably known at the War Department.

3. Soldiers of the Twenty-fifth were not allowed to drink with white people at the principal bars in town, tho in some cases saloon keepers put up a separate bar for their use, this having an



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opposite effect to that intended. The bartender was killed in such a saloon.

4. Tate-Newton, Baker-Reed cases, etc. (see B and B'''). Tate-Newton case was that of party of ladies standing on street sidewalk; claimed that two colored soldiers rudely jostled them. Mr. Tate, inspector of customs, husband of one of the ladies, knocked down one of the soldiers with his revolver. The ladies were obstructing the sidewalk, altho anybody could have easily gotten by them. The soldier was rude and probably insulting in his manner. Tate's remedy was too drastic. It was "in the manner of the South." He told me he would have used it against any man, white or black. Mr. Vann, collector of customs, invited Major Penrose to assist at an investigation of this case, but latter had no time after the 13th. Reed and another colored soldier were at ferry landing, having returned from Matamoros. Mr. Baker, inspector of customs, claimed they were drunk and disorderly (confirmed by an unprejudiced witness); that he told them to move on, and finally pushed one, who fell off plank walk into mud and water about knee deep, more thru his condition than strength of the push. Baker probably used more force than he acknowledged. Facts in these two cases were exaggerated on both sides and increased the bitter feelings between soldiers and citizens. I heard of several cases of threats from both sides before the 13th, but believe them manufactured.

5. Case of Mrs. Evans (see B). There is no doubt she was seized by the hair and thrown violently to the ground by a tall negro soldier, who then ran away thru fear of people close by. This incident, occurring on the 12th, inflamed and infuriated the people very much. The canceling of passes, sending out patrols, etc., probably increased the resentment of the soldiers against people of Brownsville.

THE RAID INTO TOWN.

From the evidence obtainable I believe the first shots were fired between B Company barracks and the wall separating post from town. A number were fired into the air for the purpose of creating an alarm. The soldiers, 9 to 15, possibly more, then jumped the wall and started thru town. There is no reliable evidence to support the claim that the first shots came from town, and no bullet marks were found on barracks. From their direction, etc., I am sure three shots thru Mr. Yturria's house came from a point near the center of B Company's upper back porch. A Mexican boy sleeping on the floor of the Yturria porch said they were among the first fired.

Mr. Randall lives over the telegraph office opposite post gate. A bullet went thru his sitting room; it came from a point near the wall opposite southwestern end of C Company barracks. Some of the first shots fired also came from the vicinity of D Company barracks. The line of barracks of D, B, and C Companies runs northeast to southwest. The wall between post and town is parallel to and about 75 feet northwest of line of barracks. An alley thru town, perpendicular to wall, beginning at a point nearly opposite space between B and D Company barracks, was the line of operations (about three blocks in length).

The raiders first struck Cowan's house (at end of first block). There were two women and five children in it. It is a miracle some

of them were not shot. The raiders could not help knowing they had not yet gone to bed. About ten shots were fired, nearly all going thru house at a height of $4\frac{1}{2}$ feet or less above floor. One shot put out the lamp sitting on a table. Mrs. Cowan has been on the verge of hysterics ever since. It is said the Cowan children had made fun of "the nigger soldiers;" but I could not pin down the reports. There must be some truth in them. The lieutenant of police, Dominguez, heard the firing and rode toward it, accompanied by two policemen. Near corner of Miller Hotel (end of second block) the two policemen turned back, but Dominguez kept on, and the raiders started firing upon him. He said there were about fifteen colored soldiers in the party. He was mounted on a white horse and went half a block after reaching corner of hotel, when his horse fell dead, shot thru the body several times. The raiders were probably at the corner and continued firing on the fleeing man until horse fell. Dominguez was shot in right arm (afterward amputated below the elbow). He did not even draw his revolver from holster. A number of shots were also fired at the other two policemen. Dominguez, many years on the police force, is universally respected. The raiders fired seven or eight times into the Miller Hotel, including several shots at a guest sitting by a window. After shooting Dominguez they divided. One party proceeded along the alley. Frank Natus, bartender in Tillman's saloon (about two-thirds the way down third block), heard them coming and started to close the back door, but was shot and probably instantly killed about 20 feet from door. A Mexican in the saloon, Preciado by name, was slightly wounded in the hand by a bullet which past thru his coat. Natus had never had any trouble with the soldiers, as far as known. Five or six shots were fired thru that back door. This party tried to get into the back door of another saloon, but it was closed.

The other party went half a block to the right, then turned to the left and fired five or six shots into Mr. Starek's house (second from corner on street parallel to alley), evidently mistaking it for Tate's (which is third). Bullet marks in Starek's house are higher than in Cowan's. Mrs. Starek said two shots went thru mosquito bar over bed in which she and two children were sleeping. These were the last attacks, and raiders then probably ran back. Bullet marks were found on several other houses in vicinity of those already mentioned.

None of the individual raiders was recognized. Streets are poorly lighted, and it was a dark night. Those who saw them were busy trying to keep out of sight themselves. The soldiers were comparative strangers in town, having arrived only two weeks before. That the raiders were soldiers of the Twenty-fifth Infantry can not be doubted. The evidence of many witnesses of all classes is conclusive. Shattered bullets, shells, and clips found are merely corroborative.

RESPONSIBILITY BEFORE AND DURING THE FACT.

I do not think the commanding and other officers and some of the senior noncommissioned officers can be blamed for not discovering the *preconcerted* raid. It is easy to say in the light of later

events that the guard should have been doubled, and other precautions taken the night of the 13th, but who could imagine that American soldiers in a body would try to murder unoffending women and innocent children?

The commanding officer did cancel passes and send out patrols early in the evening, as much to allay the anger of town people as to prevent men from committing other excesses. It may be interesting to note here that troops were paid on the 11th.

All the officers firmly believed (most of them till morning) the garrison was attacked from the town side as a result of the assault on Mrs. Evans, the general ill feeling of town people, etc., and this delusion was heightened by the call to arms sounded by order of the sergeant of the guard (probably too early during the firing to be genuine). As a consequence, the raiders were not suspected by their officers and had an easy time getting back; while arm racks were opened with difficulty in the dark, preparations made for defense, etc., cleaning the rifle requires a few minutes only.

Major Penrose is indefinite in his statement as to time command was paraded (see A). It was at least ten minutes after first shots were fired; probably longer. Captain Macklin, officer of the day, says he went to bed between twenty and ten minutes to midnight, very much fatigued, and slept thru all the uproar until about 1 a. m. The first shots were fired a few minutes *before* midnight. It is singular the members of the guard sent to wake him up could not find him, altho, as far as he is concerned, I found no reason to doubt his statement.

RESPONSIBILITY AFTER THE FACT.

I think Major Penrose, as soon as he believed the criminals were soldiers, should have arrested and placed in solitary confinement Sergeant Jackson, B Company (senior sergeant present in company, as well as in charge of quarters), Sergeant Reid, B Company (sergeant of the guard), Private Howard, D Company (sentinel around barracks), and Scavenger Tamayo (at B Company water-closet, next the wall, when firing began). It is very probable that proper effort would have induced one or more of these men to tell what he knew. The soldiers are among those arrested, but not the scavenger, altho I recommended him to the district attorney.

Major Penrose has conducted himself in a manly way under trying circumstances, altho subjected to much undeserved abuse. Almost the only criticism against him is that above. The officers appeared to be trying to find the criminals, but it is certainly unfortunate for the reputation of the battalion that they have as yet hardly discovered a single clue to such a terrible preconcerted crime, committed by so many men. I believe the battalion had an excellent reputation up to the 13th of August, but the stain now upon it is the worst I have ever seen in the Army. Many of its old soldiers who had nothing to do with the raid must know something tangible as to identity of the criminals. If they do not disclose their knowledge they should be made to suffer with others more guilty, as far as the law will permit.

RECOMMENDATION.

If satisfactory evidence concerning identity of the criminals does not come from members of the battalion before a certain date, to be fixt by the War Department, I recommend that all enlisted men of the three companies present on the night of August 13 be discharged the service and debarred from reenlistment in the Army, Navy, or Marine Corps.

LATER EVENTS.

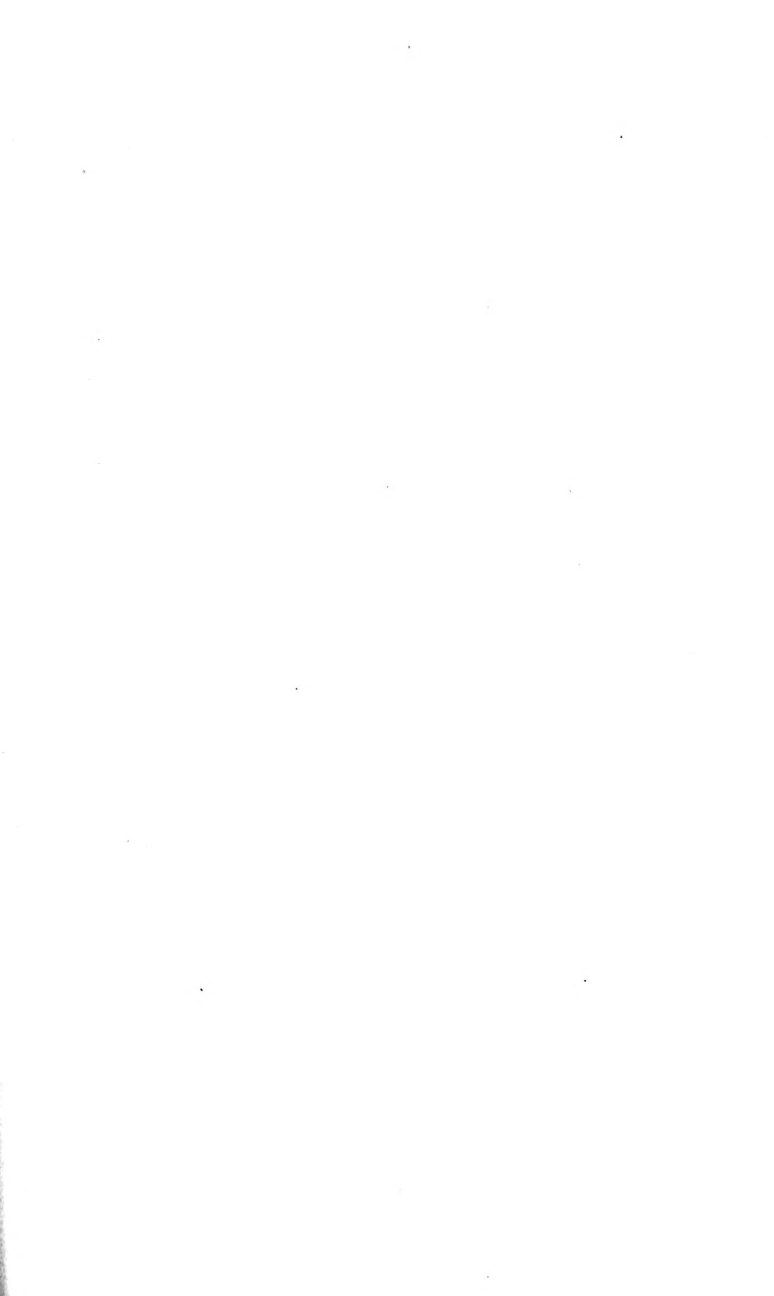
The following men were arrested by the civil authorities on the 23d and placed in guardhouse for safe-keeping:

Sergeant Jackson, B Company, Twenty-fifth Infantry, in charge of quarters; Sergeant Brawner, C Company, Twenty-fifth Infantry, in charge of quarters; Sergeant Reid, B Company, Twenty-fifth Infantry, sergeant of the guard; Corporal Powell, D Company, Twenty-fifth Infantry, in charge of quarters; Corporal Miller, C Company, Twenty-fifth Infantry, on pass; Corporal Madison, C Company, Twenty-fifth Infantry, on pass; Private Howard, D Company, Twenty-fifth Infantry, sentinel on No. 2; Private Newton, C Company, Twenty-fifth Infantry, knocked down by Mr. Tate; Private Reed, C Company, Twenty-fifth Infantry, pushed into mud and water by Mr. Baker; Private Gill, D Company, Twenty-fifth Infantry, with Reed when pushed by Baker; Private Askew, C Company, Twenty-fifth Infantry, cap found in town, alleged to be his; Private Hollowman, B Company, Twenty-fifth Infantry, part owner of saloon in Tenderloin.

An ex-soldier named Allison, partner with Hollowman, was also arrested on the 22d and placed in guardhouse for safe-keeping. He is still there.

The noncommissioned officers in charge of quarters were responsible for gun racks, and had keys thereto in their personal possession. It will be seen by examining the note after each name that these men were arrested chiefly on suspicion. I believe the majority of them are guilty on one or more counts, but there is little prospect of conviction on evidence thus far obtained.

The order to take rail for Fort Reno was suspended on morning of the 24th, and in the afternoon orders were received for the battalion to go by way of San Antonio and to take military prisoners along to be turned over to commanding officer, Fort Sam Houston, for safe-keeping until brought before a grand jury. Captain McDonald late that afternoon demanded the prisoners. Major Penrose, who had just informed Judge Welch of his latest orders, sent McDonald a letter declining to give them up (see D). McDonald would not acknowledge the authority, and Judge Welch finally withdrew the warrants to avoid bloodshed. I believe he threatened McDonald with arrest for contempt before the latter gave them up. It is possible McDonald might have fought the entire battalion with his four or five rangers were their obedience as blind as his obstinacy. It is said here he is so brave he would not hesitate to "charge hell with one bucket of water." The warrants were then served by Sheriff Garza. On being informed of the latest orders he gave up the struggle.



The battalion left Brownsville with the military prisoners at 6.30 a. m., August 25.

I met many sterling people in Brownsville. The majority of good business men recognize the proper ethics of the situation, but many others of a somewhat lower class think the colored soldier should be treated like the negro laborer of the South. It must be confessed the colored soldier is much more aggressive in his attitude on the social equality question than he used to be.

Very respectfully,

A. P. BLOCKSON,

Major, Inspector-General.

The MILITARY SECRETARY,

Southwestern Division.

(Thru Headquarters Department of Texas.)

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, September 1, 1906.

Respectfully forwarded to the military secretary, Southwestern Division.

WM. S. McCASKEY,

Brigadier-General, Commanding.

[Second indorsement.]

HEADQUARTERS SOUTHWESTERN DIVISION,

Oklahoma City, Okla., September 4, 1906.

Respectfully forwarded to The Military Secretary, War Department, Washington, D. C.

To-day I personally interviewed Major Penrose, commanding Fort Reno, where his battalion is now stationed, and he reports that the orders of the War Department with reference to holding his men under strict surveillance are rigidly enforced, and as yet no disclosures have resulted. As soon as any information is obtained it will be reported.

The attention of the War Department is invited to the names of the men for whom warrants were issued and who are now in confinement at Fort Sam Houston.

It is noted that most of these men were on duty as members of the guard or in charge of barracks at Fort Brown during the hours of the disturbance. The reasons for the selecting of these men, or the manner by which their names were procured, is a mystery. As far as known there is no evidence that the majority of them were in any way directly connected with the affair. It seems to have been a dragnet proceeding.

WM. S. McCASKEY,

Brigadier-General, United States Army, Commanding.

A.

FORT BROWN, TEX., *August 14, 1906.*

The MILITARY SECRETARY,

Department of Texas, San Antonio, Tex.:

Regret to report serious shooting in Brownsville last evening, in which one civilian was killed and chief of police so seriously

wounded that right arm will have to be amputated. Brownsville officials claim shooting was done by enlisted men of this command, and are borne out in their opinion by empty shells and clips picked up in the streets. Shooting occurred about midnight, and within five minutes afterward entire command paraded and all men found present or accounted for and rifles in racks locked. All men now confined to garrison, and no one permitted to enter post but Mayor of city, or on his personal request to me. Feeling very high in city, but believe Mayor has it under control. Am doing everything in my power to find guilty parties if they be in this command. Practise marches suspended. Full particulars by mail.

PENROSE,

Commanding.

B.

FORT BROWN, TEX., *August 15, 1906.*

The MILITARY SECRETARY,

Department of Texas, San Antonio, Tex.

SIR: In connection with my telegram of yesterday, relative to the shooting that occurred in the city of Brownsville, Tex., I have the honor to submit the following report:

At 12.10 a. m. the garrison was aroused by a fusilade of shots, which, apparently, were being fired from behind the brick wall bounding the north side of the post, and from which the barracks are located not more than 100 feet. This fusilade lasted from eight to ten minutes, and a hundred or more shots must have been fired, giving me the impression the garrison was being attacked, and I consequently gave the order to fall in under arms, which was done with but little delay, considering the confusion, and the fear of lighting the lamps in the barracks. The roll was called in each company, and all were reported present but two men from Company C, who were on pass. I then posted my entire command behind the brick wall before mentioned, which was accomplished in a short time after the firing had ceased, and, as everything had become perfectly quiet, in the course of half an hour I sent Captain Lyon, with his company (D), to look thru the lower part of the town for the two men on pass, fearing something might have happened to them.

Captain Lyon was gone about three-quarters of an hour, and returned without finding the men or meeting with any opposition. Returning with Captain Lyon was the Mayor of Brownsville, Doctor Combe, who reported to me that one civilian of the city had been killed and the chief of police badly wounded in the right arm, his horse being killed under him, and claimed the killing and wounding had been done by soldiers; but at that time I felt confident he was mistaken, as all men had been reported present except the two on pass, and to make sure I again had the rolls called, and received the same report from each company commander, "All present, or accounted for," the two men from C Company still being absent.

I kept the entire garrison under arms until 3.30 a. m., and then placed one company, C, on guard, in addition to the regular guard, and formed a cordon of sentinels around the north and east side of





the post, the exposed portion, with the most stringent orders to allow no one to leave the post, and no one to enter it except the Mayor, and such other person as he, the Mayor, might wish to bring in to see me. The other two companies were allowed to return to their barracks.

As an additional check, as soon as it was light enough to see, I had every rifle in the barracks and in the hands of the men inspected, to learn whether or not they had been fired, but all were found to be bright and clean.

The Mayor again called upon me about 10 a. m., and informed me a few empty cartridge cases and used clips for our Springfield rifle had been found in the streets, and later in the morning told me there had been picked up between 75 and 100 empty cases and used clips, as well as a few cartridges that had not been fired. Some of these I examined, and there is no doubt they are those manufactured by our Ordnance Department and issued to the troops.

At 11.30 a. m. a committee of 15 citizens of Brownsville, headed by the Mayor, called upon me, and thru their chairman, Capt. William Kelly, a Union volunteer veteran of the civil war, informed me they had positive proof, by several reliable witnesses, that the shooting was done by colored soldiers, in uniform, and requested I cause the offenders' arrest and turn them over to the civil authorities. The Mayor, Doctor Combe, then spoke and said that he had examined the dead, and wounded man, and there was no doubt in his mind the wounds were caused by a bullet fired from a Springfield rifle, or some rifle with a similar penetrating power.

Here it will be well for me to state that Doctor Combe served as a volunteer surgeon during the Spanish-American war; was a brigade surgeon during the greater part of the Philippine insurrection, and is at the present time employed to attend the sick of the post during the absence of a surgeon.

I then express my deep regret to the committee that such a frightful crime should have happened, and that the evidence pointed so strongly to its being committed by my men; and while it had been impossible for me up to the present time to fix the blame upon anyone, I should never cease my endeavors to detect the criminal or criminals, and if found would promptly turn them over to the proper authorities. In conclusion, I assured them nothing of the kind would occur again, and explained to them the precautions I had taken. The Mayor then told me he was positive he was able to hold the unruly element of the city in check, and this was voiced by the committee, who then took their departure. We parted with the best of understanding between us, and I trust the cordial feeling will maintain thruout this very trying period.

Yesterday and last night past without the slightest indication of further trouble of any kind. I still have one-third of my command—one company—on guard day and night, with the same stringent orders as to leaving or entering the post, the only exception being civilian employees and servants.

Were it not for the damaging evidence of the empty shells and used clips I should be of the firm belief that none of my men was in any way connected with the crime, but with this fact so painfully before me I am not only convinced it was perpetrated by men

of this command, but that it was carefully planned beforehand. I have the affidavits from three noncommissioned officers who were in charge of quarters on the day and night, and they swear positively the rifles were verified and the racks locked after drill (practise march of Companies B and D, drill of Company C), and the old guard returned to the quarters; that they never left the quarters, and that the keys to the locks of the racks were never out of their possession, and that the racks were not opened until call to arms sounded, and were then opened by them.

From testimony gathered by the Citizens' Committee and given to me by Doctor Combe, I believe from seven to ten men were implicated in this matter. Some one of them must have had a key to the gun rack, and after check roll call was taken—for all were reported present at 11 p. m. roll call—they slipped out of quarters, did the shooting, returned while the companies were forming, and at some time during the early hours of the morning cleaned their rifles. This is made possible from the fact that the shooting all occurred within two short blocks of the barracks.

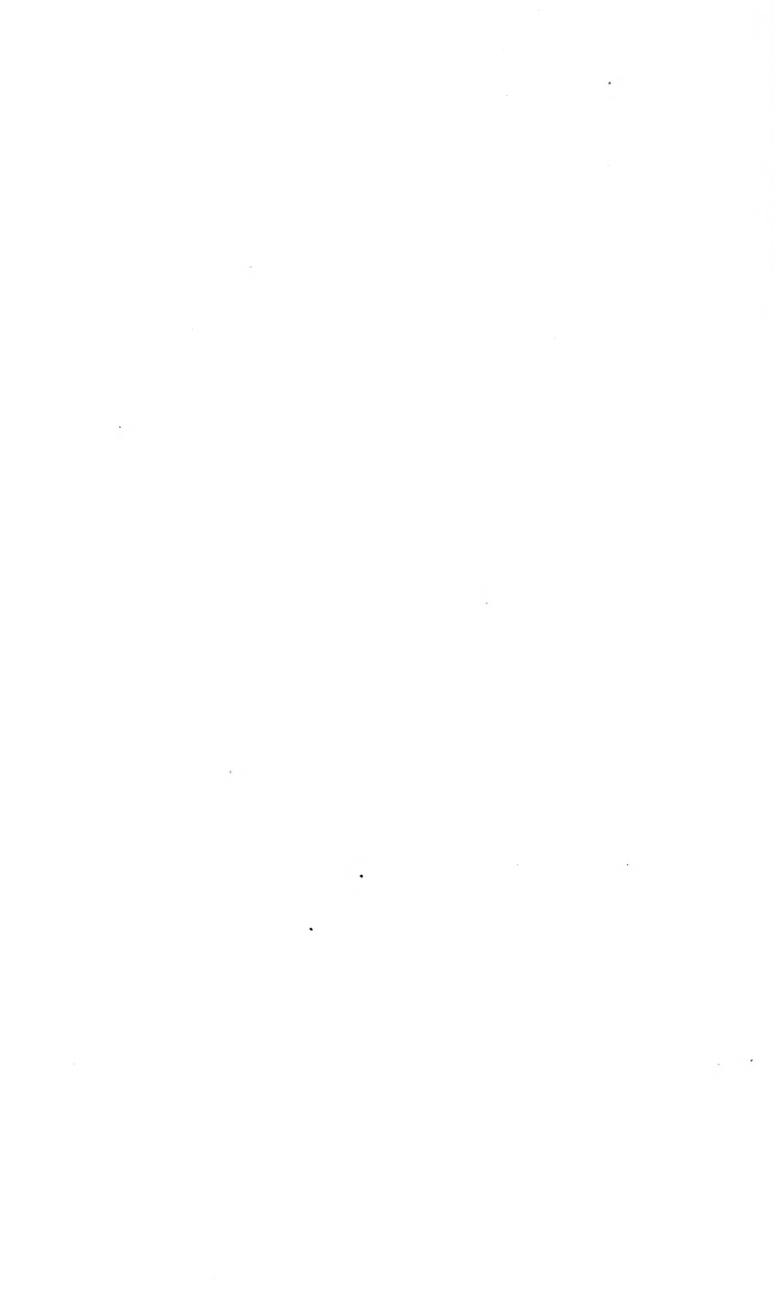
I am conducting the most rigid examination possible, examining every man and working in conjunction with the Citizens' Committee, and I believe the offenders will be apprehended, altho it will take time. The best of the men are very much perturbed over the matter, and I believe thru them, rather than my own efforts, the perpetrators of this wanton crime will be apprehended.

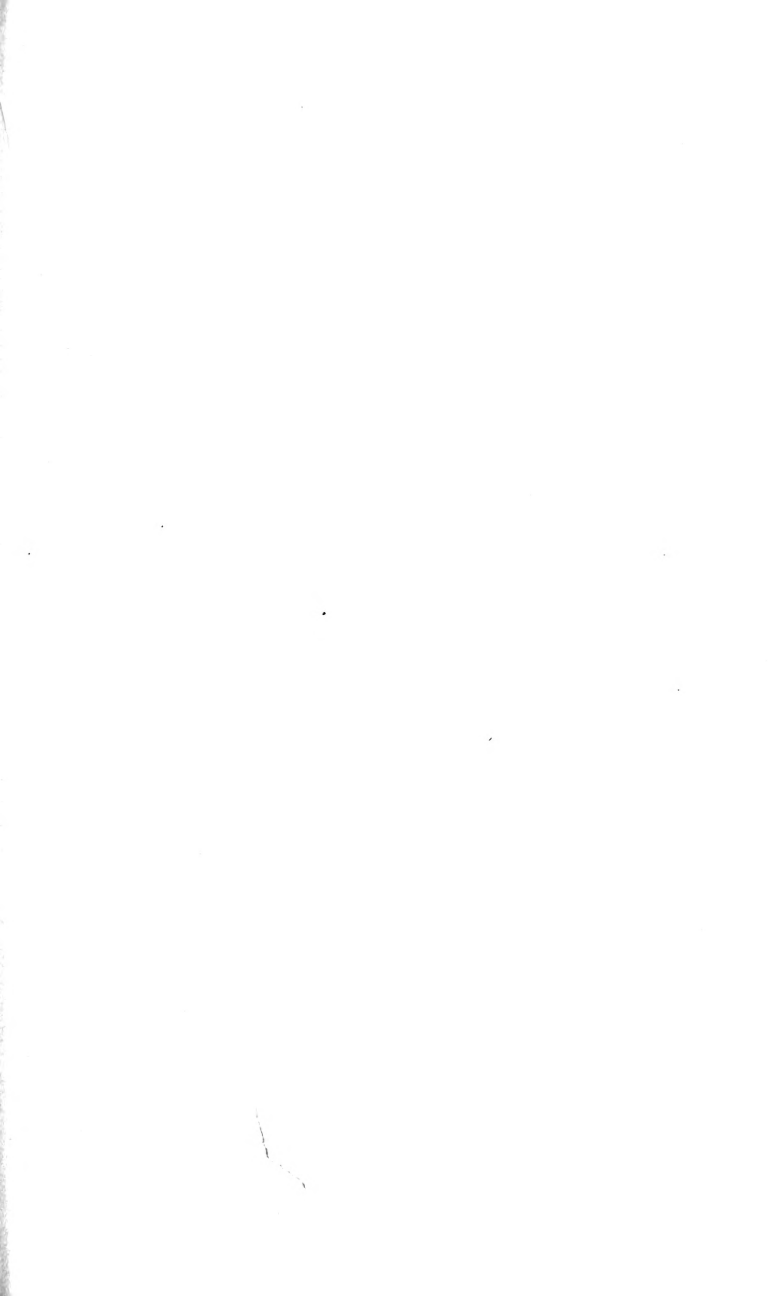
That the enlisted men have been subjected to indignities since their arrival here there can be no doubt, and this has caused a good deal of feeling among them, and to one case I attribute this outbreak, the subject of which I will make an official report as soon as the collector of customs, Mr. Vann, returns to the city.

On the evening of August 5, Private Newton, of Company C, was walking on Elizabeth street, in the city of Brownsville, with Private Lipscomb, same company. When about a block north of the post-office they met a party of ladies standing on the sidewalk, talking to a man by the name of Tate, who is employed in the customs service. To pass this party, the men past between them and the fence, in single file, Newton leading. Newton claims in his affidavit that he did not even touch one of the ladies in passing, but when opposite this man Tate, he, Tate, drew a revolver from his hip pocket and struck Newton upon the side of the head with it, knocking him down, at the same time saying, "I'll learn you to get off the sidewalk when there is a party of ladies on the walk." When Newton rose to his feet Tate covered him with his revolver and said, "Damn you, leave, or I will blow your brains out." This is corroborated by Private Lipscomb.

I at once wrote a letter to Mr. John W. Vann, collector of customs, informing him of the matter, and requested he would make such investigation of the occurrence as he might see fit and notify me of the result. Mr. Vann being out of town, my communication was replied to by Mr. Browne, deputy collector of customs, who requested me to await action until Mr. Vann returned, which, of course, I was very glad to do.

On the afternoon of the 13th, at about 5 o'clock, a Mr. Evans, of Brownsville, accompanied by Doctor Combe, called upon me, and





the former told me that on the evening before his wife, when returning home and when about to enter her back gate, was seized from behind by a colored man who, she was positive, was a soldier, as he was in khaki uniform, but whom she could not identify, and he further stated he had been greatly annoyed by enlisted men congregating near his house the two previous evenings by their vulgar conversation and swearing. His statement that his wife was seized by a soldier I was inclined to doubt, as prostitutes are too common in the town, but as the matter was a most serious one, and fearing the matter would inflame the people, as well as to save Mr. Evans any further annoyance, I ordered all passes canceled at 8 o'clock, and sent a patrol thru the city notifying all men to return to the post at that hour. At 8 o'clock I sent out a second patrol, and at 9 a third one, which reported that no men could be found. Captain Macklin, the officer of the day, also went thru that part of the city most frequented by the men, but found no one. Mr. Evans is unfortunate in living very near the Tenderloin, but, to protect him, it was my intention to send patrols to that part of the city every evening, and frequently, if necessary.

These two incidents have served to cause bad blood between the citizens and the soldiers.

I have not been able to investigate his charges that his wife was seized by a soldier, as the shooting came too closely upon it, and has occupied all of my attention. Fortunately, Mrs. Evans was not harmed, save the terrible fright it gave her.

I look for no further trouble, and trust my actions will meet with the approval of the department commander.

Very respectfully,

C. W. PENROSE,

Major, Twenty-fifth Infantry, Commanding.

C.

FORT BROWN, TEX., August 20, 1906.

Capt. WILLIAM KELLY,

Chairman Citizens' Committee, Brownsville, Tex.

SIR: As there seems to be somewhat of a doubt in the minds of the citizens of Brownsville as to the sincerity of the investigation I am conducting relative to the horrible shooting that occurred in your city early on the morning of the 14th instant, whereby one of your citizens was killed and the chief of police wounded, besides several houses riddled with bullets, and the testimony pointing strongly to the shooting being done by men of my command, I have the honor to make this suggestion to you with an earnest hope it will meet with your approval and early acceptance.

This suggestion is, that you appoint a committee of three citizens of Brownsville, of which you should be chairman, to come to this post and make an investigation for yourselves.

I will place before such a committee every particle of evidence I have been able to obtain up to the present time, and will summons

before them every man of this post for such examination they may desire to make.

Very respectfully.

C. W. PENROSE,
Major, Twenty-fifth Infantry, Commanding Post.

D.

FORT BROWN, TEX., August 24, 1906.

Capt. W. J. McDONALD,

Company B, Ranger Force of Texas, Brownsville, Tex.

SIR: Replying to your demand for the men of my command for which you gave me warrants, I have the honor to inform you that I am directed by higher authorities to assure their safety, but they will be cared for subject to the jurisdiction of the civil authorities and will be delivered to the said civil authorities for trial when their safety is assured.

After a most careful investigation I am unable to find any one, or party, in any way connected with the crime of which you speak.

I return to you herewith the warrant delivered to me yesterday.

Very respectfully.

C. W. PENROSE,
Major, Twenty-fifth Infantry, Commanding.

The substance of this letter was also communicated to Sheriff Garza, who made the second service.

A. P. B.

A'.

FORT BROWN, TEX., August 19, 1906.

CHIEF OF STAFF.

Camp Mabry, Austin, Tex.:

Arrived last night. Troops under proper control, altho town people are still very much excited and men all carrying arms.

After consultation with post officers the Mayor and prominent citizens strongly recommended Company A, Twenty-fifth Infantry, be not sent here for present at least: otherwise grave trouble almost certain to ensue on road in this vicinity. Every effort being made to discover murderers.

Recommend all officers now on detached service from this command that can be spared be sent here soon as practicable.

BLOCKSOM, Major.

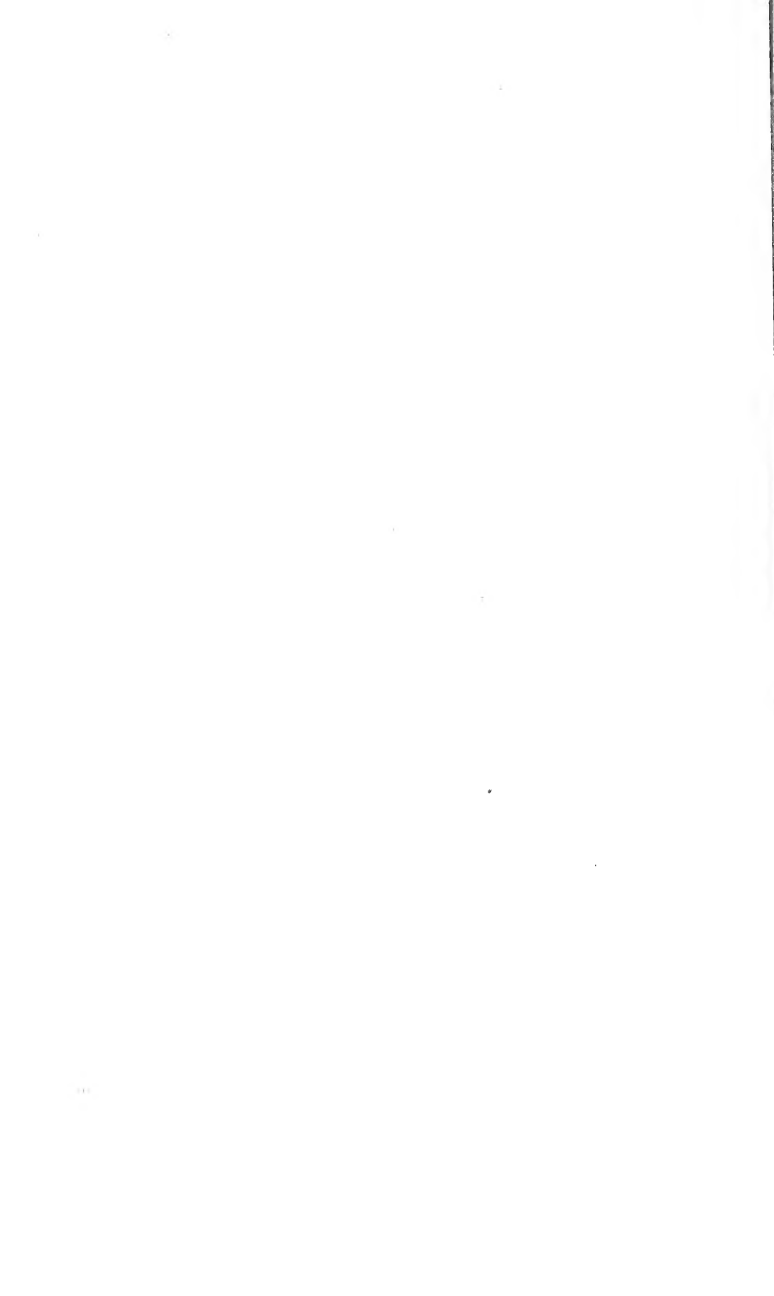
B'.

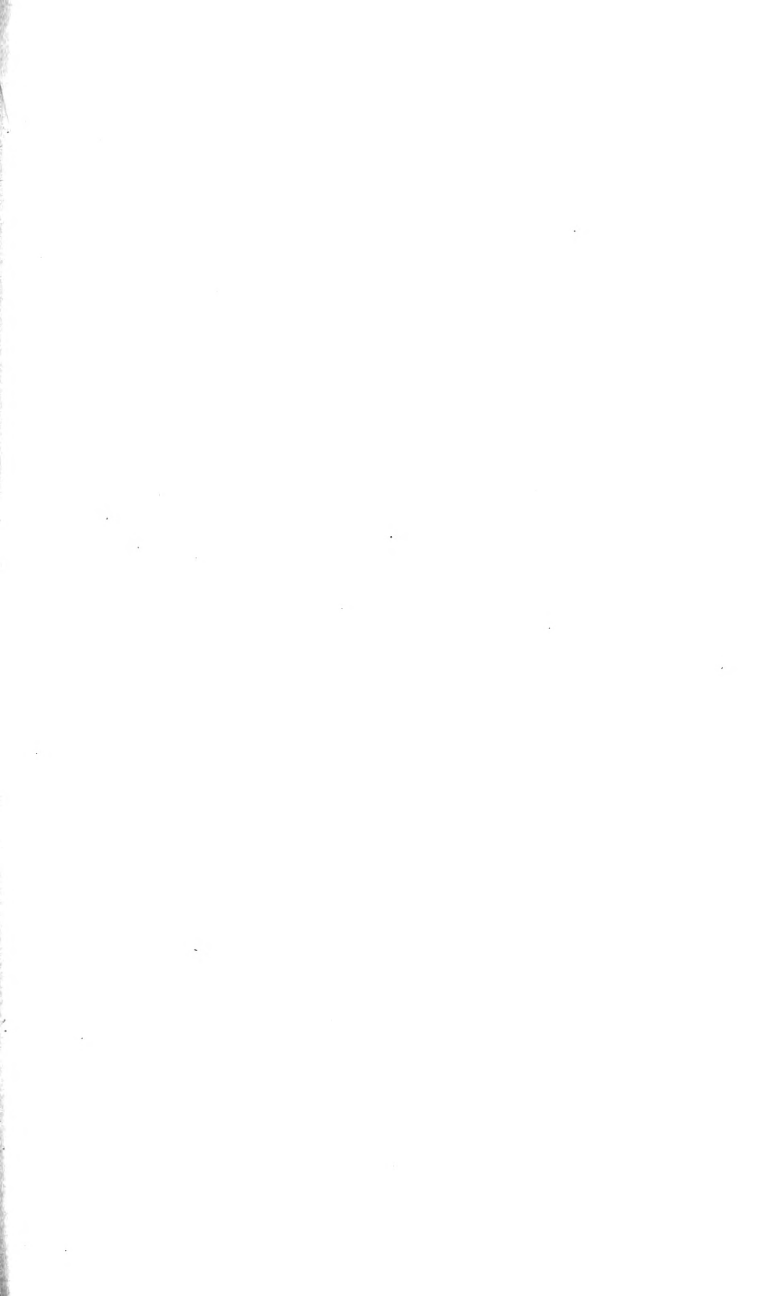
BROWNSVILLE, TEX., August 20, 1906.

THE MILITARY SECRETARY, UNITED STATES ARMY,

Washington, D. C.:

Causes of disturbance are racial. People did not desire colored troops here, and showed they thought them inferior socially by cer-





tain slights and denial of privileges at public bars, etc. Soldiers resented this. There were several individual encounters between soldiers and citizens. About midnight of 13th party of soldiers, probably 9 to 15, made raid thru several squares of town, firing 75 to 150 shots, killing a bartender and dangerously wounding lieutenant of police. They also fired into several houses, where women and children narrowly escaped being shot. Raid lasted from eight to ten minutes. Claim made that citizens fired first, but, I believe, without foundation. Altho act probably preconcerted, do not think commanding officer could have foreseen it. Citizens can not identify raiders, and authorities have made no demand for them. Investigation now going on has as yet discovered none. Commanding officer to-day invited a committee of three citizens to assist in conducting investigation. People are still in a state of great nervous tension, and men nearly all carry arms openly at night. Women and children still frightened. I consider it necessary to remove colored troops—the sooner the better. While now apparently under perfect control, an entire company is on guard each day—a great strain with little prospect of relief. Differences between soldiers and citizens are irreconcilable. Suspected men might get a fair trial here at hands of civil authorities, but could not be properly protected from mob violence. Full report about investigation will be made in regular course.

BLOCKSOM, Major.

C'.

FORT BROWN, TEX., August 21, 1906.

CHIEF OF STAFF,

Camp Mabry, Austin, Tex.:

In reply to direct inquiry from Military Secretary, Washington, I last night recommended colored troops be withdrawn from Brownsville—sooner the better; that differences between soldiers and citizens are irreconcilable. I was directed to remain here until further orders.

BLOCKSOM, Major.

D'.

BROWNSVILLE, TEX., August 21, 1906.

TO CHIEF OF STAFF,

Camp Mabry, Austin, Tex.:

Committee invited by commanding officer to investigate trouble began meetings this afternoon, and is given every facility possible. Captain Kelly, prominent citizen; District Attorney Kleiber, twenty-eighth district; Judge Barilett, county judge, Cameron County, and Judge Welch, twentieth judicial district, form committee.

BLOCKSOM, Major.

E'.

FORT BROWN, TEX., August 23, 1906.

THE MILITARY SECRETARY, UNITED STATES ARMY,

Washington, D. C.:

Battalion Twenty-fifth will probably get away to-night. Warrants have been issued for murder, conspiracy to murder, etc., against 3

sergeants, 3 corporals, 6 privates, and 1 ex-soldier. They will be turned over to commanding officer, Captain Preston, Twenty-sixth Infantry, for safe-keeping, until required by district judge. Do not know when, probably early part next month, possibly earlier. Authorities pledge themselves able keep prisoners from violence, but feeling here still high. Request authority to return after battalion leaves.

BLOCKSON, *Major*.

F'.

BROWNSVILLE, TEX., *August 28, 1906.*

CHIEF OF STAFF,

Camp Mabry, Austin, Tex.:

Confidential. My report completed. Shall send soon as type-written. Can not too strongly urge officers of battalion be imprest with necessity di-covering criminals. They did seem to be trying, but were prejudiced by ill-feeling shown them here. Such a crime committed by so many men will be great injury to officers' reputation if undiscovered. Almost no evidence against men arrested, tho believe majority more or less guilty. Conviction of criminals must come from men of battalion, if at all. Many old soldiers know guilty men, and should suffer for concealing act. I shall recommend practical disbandment of three companies if crime not soon discovered.

BLOCKSON, *Major*.

A'.

FORT BROWN, TEX., *August 14, 1906.*

FORT BROWN, *State of Texas, ss:*

Personally appeared before me, the undersigned authority, Sergt. George Jackson, Company B, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

I was in charge of the company quarters of Company B, Twenty-fifth Infantry, on the 13th and 14th of August, 1906.

The company was on a practise march on the morning of the 13th and returned to the post between 10 and 11 o'clock, when the rifles of the company were returned to the racks to allow six men of the company to get their rifles to go on guard. I then locked the racks again, and there were in the racks 46 rifles, which, with the 6 in the hands of the men on guard, made 52 rifles, for which I was accountable. The racks were not again opened until call to arms sounded, soon after midnight on the morning of the 14th, when I opened them myself.

I was not away from the quarters at any time during the time the racks were closed, about 10 o'clock on the morning of the 13th, until they were opened when call to arms sounded on the morning of the 14th, nor were the keys to the racks ever out of my possession.

I made check roll call of the company at 11 p. m., on the night of the 13th, and all men were present.

GEORGE JACKSON,
Sergeant, Company B, Twenty-fifth Infantry.

Sworn to and subscribed before me this 20th day of August, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.

B''.

FORT BROWN, TEX., *August 14, 1906.*FORT BROWN, *State of Texas, ss:*

Personally appeared before me, the undersigned authority, Sergt. Darby W. O. Brawner, Company C, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

I was in charge of the company quarters of Company C, Twenty-fifth Infantry, on the 13th and 14th of August, 1906. I locked the arm racks in the company quarters between 10 and 11 o'clock a. m., August 13. There were 53 in the racks, which, with the 4 rifles in the hands of the members of the guard, made up to the total number issued to the men of Company C; that is, 57 rifles in all. The keys of the arm racks were constantly in my possession. The arm racks were not opened until about 12.15 a. m., August 14, 1906, for any reason except that about 2.30 o'clock p. m., August 13, 1906, one rack was opened for a moment to allow the supernumerary of the guard to get his rifle in order to take the place of a member of the guard who was taken sick, and whose rifle was at the same time placed in this arm rack.

About 12.15 a. m., August 14, 1906, I was awakened by a corporal of the company, who told me that shooting had been going on and that call to arms had been sounded, and to get up and open the arm racks. I went down to the first sergeant and asked him what I should do, whether I should open the arm racks, and he said, "Wait for orders." Corporal Madison, whom I met as I was returning to the squad room, told me orders of the commanding officer were to open the arm racks. I then opened three racks, the fourth having been broken open by the men trying to get their rifles from the racks to fall in when call to arms sounded.

DARBY W. O. BRAWNER.

Sergeant, Company C, Twenty-fifth Infantry.

Sworn to and subscribed before me this 20th day of August, 1906.

SAMUEL P. LYON.

*Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.*

C''.

FORT BROWN, TEX., *August 14, 1906.*FORT BROWN, *State of Texas:*

Personally appeared before me, the undersigned authority, Corpl. David Powell, Company D, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

I was in charge of quarters of Company D, Twenty-fifth Infantry, on the 13th and 14th of August, 1906.

Company D, Twenty-fifth Infantry, was on a practise march on the morning of the 13th and returned to the post about 9.30 a. m., when the rifles were placed in the gun racks and the racks locked by me. At about 10 a. m. the racks were opened to allow five men of the guard to get their rifles and were again locked by me. There were in the racks then 52 rifles, and 5 in the hands of the men of the company on guard, making a total of 57 rifles in all for which I was accountable.

I did not leave the quarters at any time during the day or night. The keys to the arm racks were in my personal possession the entire time, and the racks were not opened for any purpose whatever from about 10 a. m. [until] after midnight on the 14th, when I unlocked the racks myself.

I took check roll call at 11 p. m. on the 13th, and all the men of the company were present or accounted for.

DAVID POWELL,
Corporal, Company D, Twenty-fifth Infantry.

Sworn to and subscribed before me this 20th day of August, 1906.

SAMUEL P. LYON,
*Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.*

D'.

FORT BROWN, TEX., August 14, 1906.

FORT BROWN, *State of Texas:*

Personally appeared before me, the undersigned authority, Private J. H. Howard, Company D, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

I was a member of the post guard on the night of the 13th and 14th of August, 1906. I was posted as a sentinel on post No. 2, which extends around the barracks, keeping the buildings on my left, at 10.30 p. m., August 13. At about 12.10 on the morning of the 14th, when between C and B Company barracks, I heard a single shot, then five or six, and then a regular fusillade. The shots seemed to come from the street in the rear of the brick wall back of B Company's barracks. I thought they were shooting at me, and I lookt in the direction of the sounds to see if I could see anybody, but I could not, and I then went to the front of the barracks and gave the alarm, by firing my piece three times and calling for the guard. I did not see anybody at all but the post scavenger, who was at the sinks in the rear of B Company's barracks. As soon as the shooting commenced he drove away with his cart.

JOSEPH H. HOWARD,
Private, Company D, Twenty-fifth Infantry.

Sworn to and subscribed before me this 20th day of August, 1906.

SAMUEL P. LYON,
*Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.*

E'.

FORT BROWN, *State of Texas:*

Personally appeared before me, the undersigned authority, one Matias G. Tamayo, scavenger at Fort Brown, Tex., who being duly sworn according to law, deposes and says:

That at about 12.10 a. m. on the morning of August 14, 1906, he was in rear of the quarters occupied by Company B, Twenty-fifth Infantry; that about this time a shot was fired by some person unknown in the street just outside the wall dividing the military reservation from the town of Brownsville, Tex.; that he could hear the bullet and that it appeared to be going in the direction of the Rio Grande River, about parallel to the above-mentioned wall; that immediately following this one shot, a number of other shots were fired, all outside the wall.

Deponent further says that previous to the shooting he saw no soldiers any-

where in rear of the quarters occupied by the companies of the Twenty-fifth Infantry, and heard no talking or news of any kind; and that he saw and heard no shot or shots from any of the company barracks.

MATIAS G. TAMAYO,
Scavenger, Fort Brown, Tex.

Sworn to and subscribed before me this 14th day of August, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry, Summary Court.

F''.

FORT BROWN, TEX., *August 23, 1906.*

Sergt. J. R. Reid, Company B, Twenty-fifth Infantry, stated to me that he did not have the call to arms sounded (he was sergeant of the guard on the night of the 13th of August) until the shots came so fast that he thought post was attacked. He stated also that he formed the guard before having the call sounded.

A. P. BLOCKSOM,
Major, Inspector-General.

A'''.

TESTIMONY TAKEN BY CITIZENS' COMMITTEE RELATIVE TO ACTION OF UNITED STATES TROOPS ON THE NIGHT OF AUGUST 13 AND MORNING OF AUGUST 14, 1906.

BROWNSVILLE, TEX., *August 14, 1906.*

Mr. GEORGE W. RANDALL takes the stand.

Q. Tell what you saw from the time your attention was first attracted.—A. Well, I was sleeping about 10 o'clock and was woke up by pistol shots fired close to my house, about 60 feet from garrison, inside of garrison wall. I got up and went to the window, my wife with me. We could see men moving back and forth inside the garrison wall, and they were shooting. One man in particular. I watched the shots, seeing the fire leave the pistol, and it was elevated up in the air and was being fired about as fast as a man can move his finger. There were other shots, but I did not notice them.

Q. What time was that?—A. About 10 o'clock, I think; tho I did not strike a light to look. The next move that I saw and what I heard was one word—there was a good deal of talking, but very low—one man said "There he goes," and they made a move for the wall and past out of my sight.

Q. Did they have guns in their hands?—A. I could not tell.

Q. Were they soldiers?—A. Yes.

Q. You could see on the town side of the garrison wall?—A. Yes.

Q. Did you see any shooting on the town side of the garrison wall toward the garrison at the time of the firing?—A. No.

Q. Then all the shooting you saw was from the inside of the garrison?—A. The shooting I saw—and that was thru the flash of

the pistol, and every one of those flashes was elevated—did not seem to be shooting at anything.

Q. When you saw the flashes of fire could you tell in what direction such fire was?—A. It was elevated.

Q. Was it toward town or away from town?—A. Toward town.

Q. How long did that shooting continue?—A. I do not think it was more than five or six minutes.

Q. Were there other shots fired from the post also later?—A. (Not known.) The first shot came from the garrison wall down below; the next one past thru my room and went directly over my bed.

Q. How long was that after the first shot was fired?—A. Five or six minutes.

Q. That last shot that went thru your house, judging from the direction of the shot, would you suppose it was fired by somebody who ran out of town thru the alley?—A. No; it could not have been. My house stands (motioned toward the fort), and the place where it went into my house (motioned again) and the place where it went out (another motion) was about 6 inches above where it went in. (Stenographer can't comprehend motions.)

Q. After the first shot was fired, how long was it until you heard the last shot?—A. I could not tell. My wife said it was between a half and three-quarters of an hour, but I think it was not that long.

Q. The shot that came thru your house came from the direction of the garrison?—A. Yes; about the lower end of the lower quarters.

Q. That was several minutes after the first fire?—A. Yes.

Q. Do you remember whether it was before or after the bugle call was sounded?—A. It was after; a long time after. The first bugle call that I heard—it was a peculiar call—was two or three minutes after they left the quarters and jumped the wall and started this way.

Q. It was after the bugle call?—A. Yes; and it was quite a little while before that man got the squad together and came up Elizabeth.

Q. There were two bugle calls?—A. Yes.

Q. Was this after the first or second bugle call?—A. The last.

Q. Did you see anything of the placing of a Gatling gun in the gate last night?—A. No.

Q. You were in view of the gate all the time?—A. Yes.

Q. You could have seen it?—A. Yes. (Continued.) The first shots that I heard seemed to me as tho they were a little to the left. When I got up and went to the window I saw that they were shooting up.

(Excused.)

Mr. O. J. MATLOCK takes the stand.

Q. (By chairman.) This committee is engaged in investigating what occurred last night. It has been stated that some soldier address you and told you that it would be dangerous for you to go up the street after 10 o'clock.—A. No; no one address me that way. The only conversation that I had was with the commander of Company B (I think it was), and he said that his instructions were to keep his men in at night and that he was going to call them back. I had no talk with a soldier, and knew nothing of it, except that there was a little strange situation on account of the affair Sunday night.

Q. Where were you during this shooting?—A. Behind the guard-house, at Mrs. Johnson's house.



Q. Did you see anybody do any shooting?—A. No. I went up to the guardhouse to see what was the matter. They said they did not know, and came near running their bayonets into me, they were so excited. They said they knew nothing about it.

Q. Do you know anything about the roll call there last night?—A. No.

Q. Anything about the guns?—A. No; except what I have heard.

Q. Did you make the statement that the guns have not been returned to the racks yet?—A. No; for I don't know anything about it. I had a talk with some of the officers this morning and they told me that the guns had not been tampered with. They had an idea that the guns could not be gotten hold of except for drill purposes.

Q. Is that still their idea?—A. No; I think not.

Q. How long would it take a man to go from the officers' quarters over to the men's quarters?—A. They were in bed, and, having to dress, it would take maybe eight minutes to get their clothes on and get over there. Maybe all of eight minutes.

Q. Do you know anything that might be of the slightest help to this committee?—A. No; nobody out there knows anything about it. The general opinion is that they will never know anything about it as long as they stay here, unless one of them gets full and tells it.

Q. Did you state that you were told not to go out that night?—A. Yes; I was washing my hands when the shooting commenced, and I went up there and they were very excited and told me I had better get back into the house or I might get hurt.

Q. That was while the shooting was going on?—A. Yes; I started to go, and they said, "Don't go yet a while." So I waited.

Q. Was the officer of the guard there?—A. There is no officer of the guard, except the noncommissioned officer. He was on his round. I heard him make his round about 11 o'clock.

Q. If there was a guard on last night did not he know anybody who went into or out of the post?—A. No; he might be around the barracks and a person could come in the gate.

Q. But if they had a special patrol? With that they should be able to keep people out?

(Answer not known.)

Q. I understand there was one man with each squad who has entire charge of the arms and ammunition. If any arms or ammunition went out of there, or went in, he was bound to know?—A. He ought to know it, if he was up all night. If he was in bed he might be misled.

Q. These arms are under lock and key and this party has charge of the key?—A. Yes.

Q. And he should be responsible?—A. Yes.

Q. A guard who would be up at the end of the third quarters, it would be an easy matter for any number of men to jump the fence before he could get back and see who they were?—A. Yes. It is about 500 yards.

Q. What Gatling gun is there in the fort?—A. There is only one, but it was not got out.

(Mr. KELLY stated:) It was a very old gun—one of the guns that was on the old Bravo in 1872.

(Witness excused.)

Mr. JOSE MARTINEZ called to stand.

Q. You know the object of this committee. Just state what you know or what you saw.

(Question of speaking English raised. Interpreter dispensed with.)

Q. Where were you last night?—A. In my room in Mr. Randall's house, right behind the telegraph office (pointed out place on map). On alley fronting the post in block 61.

Q. Were you there last night?—A. Yes; I was reading the paper when I heard four shots.

Q. What kind of shots; pistol or rifle?—A. Gun shots.

Q. Where were they?—A. Inside the quarters. I hear the noise like somebody—big crowd—jump the fence.

Q. About how many?—A. I could not see him; I hear.

Q. Well, more or less?—A. About 20.

Q. Did they have guns in their hands?—A. Yes.

Q. Were they negroes or white men?—A. Negroes.

Q. Did you see their uniforms?—A. No; I saw their—what you call it?—bulk. I could see them shooting this way (makes motion at hips). I could hear men come up Elizabeth street and other men go down the alley.

Q. How many shots did you hear, more or less?—A. I could not tell; about forty or fifty.

Q. Was that before or after the first bugle call? Did you hear the bugle call?—A. Yes.

Q. Did these men come over before or after?—A. They shot and then the bugle.

Q. Then you heard other shots?—A. Yes.

Q. Then a second bugle call?—A. Yes.

Q. How long was it between the two bugle calls?—A. I think it was about three minutes.

Q. Did you hear them call a roll on the other side?—A. No; I was sleeping by that time.

Q. Could you hear these soldiers talking any?—A. Yes.

Q. What did they say?—A. I did not pay any attention to them.

Q. Do you remember anything they said?—A. No.

Q. Did they curse?—A. Yes.

Q. Were they drunk or not?—A. I could not tell you.

Q. Did you see said men (Kibbe's question) go back?—A. No.

Q. Can you show us on the map where the first crost the wall?—A. (Goes to map and points.) They jumped over the wall all along.

Q. Did they have guns in their hands?—A. Yes. I was standing in the door.

Q. Were they inside or outside the wall when the first shots were fired?—A. Inside.

Q. Then they jumped over the wall and ran uptown?—A. Yes.

Q. All of them with guns?—A. Most of them I saw with guns.

Q. Some of them ran straight up the alley. Do you know whether any of them ran up Washington street?—A. I don't know. I blow out my light.

Q. Have you any idea how many men crost that wall?—A. I saw about twenty men. I don't know how many of them jumped the wall.



Q. Did you see the soldiers when they came back to the garrison?—A. No.

Q. Did you see any of them come up Elizabeth street?—A. I could not see them; I hear them come up Elizabeth.

Q. Did you hear any shots from the town side before you heard them on the inside?—A. No.

Q. You live about 30 feet from the garrison wall?—A. Yes. (Some one ventured the information that it is just 36 feet.)

Q. Were these four shots that you heard first all the shooting that took place until they past your house?—A. No; when they jumped the fence they commenced shooting.

Q. Which way were they shooting?—A. This way.

Q. The guns were shooting straight?—A. Yes. Maybe some of them were elevated.

Q. That is all you know about it?—A. That is all.

Q. There were quite a number of shots fired before the first bugle?—A. Four.

Q. Were there not more shots than that before the first bugle call?—A. No.

Q. They continued until the second bugle call?—A. Yes.

Q. Were there any after the second bugle call?—A. Yes; lots of them.

(Excused.)

Mr. MARTINEZ was recalled on the morning of the 14th, and testified as follows:

Q. Did you hear any running up and down in the post?—A. No.

Q. Did you hear them talking?—A. Yes; very low.

Q. In the barracks?—A. Inside the wall; not in the house.

Q. Did you hear running?—A. Yes; jumping the wall. Previous to the first fire I heard no shots from the town. The first were fired from inside the garrison wall.

Q. Did you see the men form?—A. (Asks meaning of "form.") No; they ran.

(Excused again.)

Mr. ADOLPH BOLACK (Hebrew) takes the stand.

Q. Now, tell what you know.—A. Well, my wife and daughter hear the shooting and come arunning out in the dining room and got frightened. I was coming out to see what was coming on, but she would not let me. I went to my window and saw Dominguez and two policemen go by. I holler, but Dominguez did not hear me. After they got by they commenced shooting again. And that is all I know. In about three minutes the shooting commenced in the alley.

Q. Could you see anyone shooting?—A. Saw nothing.

Q. Did you hear any command given?—A. No; my daughter heard them talking when they past the window, and they were negroes.

Q. How many shots were fired?—A. At least forty or fifty.

Q. Is that all you know?—A. Yes.

(Excused.)

(Mr. BOLACK returned shortly to announce that he had seen a man who did see the soldiers. Thanked and excused again.)

Mr. A. BAKER called to stand.

Q. Just tell what you know.—A. I heard shooting during the night; don't know exactly what hour.

Q. Was it a pistol or rifle?—A. It sounded like a pistol. I jumped up and my brother came out and asked what it was. We climbed up on a tank and looked over into the fort. The shooting commenced. There were four or five shots near the wall. Then they commenced shooting uptown.

Q. Where do you live?—A. Near the old ice plant, in lot 9, block 59, I think.

Q. Did you see the men cross the wall?—A. No.

Q. Do you remember hearing a bugle call?—A. Yes.

Q. Was the firing before or after the bugle call?—A. There were some shots before the bugle call; then the bugle; then more shots; then the bugle call; then more shots. I heard the men run down the stairs, like they were coming to a fire, and some one hollered, "Fall in line," and then, "March," and they went uptown.

Q. Did you hear the roll call?—A. Yes; about half an hour after they got back—a half or three-quarters of an hour after the firing ceased and they went back to the post.

Q. From where you were, could you look down in the alley?—A. Yes.

Q. At the time of the firing, or within five minutes after the firing, did you see anyone running through the alley?—A. No.

Q. Were you expecting trouble last night?—A. Yes. Yesterday evening, about 6 o'clock, two soldiers came up to the house and asked if Mr. Baker lived there. Then they said they wanted a big, broad-shouldered fellow, who said he was from Georgia. So we got our arms and guarded our residence.

Q. Do you know of the shot that Mr. Randall spoke of having gone thru his room?—A. Yes; I heard it whistle.

Q. Did you notice the flash of any guns toward the fort?—A. No.

Q. If they had had a roll call you could have heard it?—A. Yes; I heard the last one and heard nearly every name called.

Q. Why were you noticing this?—A. After they had the other trouble the officer told him to report to him and that he would have a roll call and get who was out. So I noticed for the roll call this time.

Q. Did you hear the shooting up in town?—A. Yes.

Q. How many shots did you hear?—A. One hundred and fifty, maybe two hundred. It lookt like volleys of them were being fired.
(Excused.)

Mr. A. C. MOORE takes stand. (Proprietor of Miller Hotel.)

Q. This committee is sitting for the purpose of getting information that will place the saddle on the right horse. You are running the Miller Hotel?—A. Yes.

Q. Are there any bullet holes in the hotel?—A. Yes; about six.

Q. Shot by whom?—A. By people; last night.

Q. What time?—A. About 12.



Q. Did you see anyone shoot?—A. No.

Q. Did you hear?—A. Yes.

Q. Tell what you know.—A. The first shooting started down by the garrison. The shooting still continued, and they came up the alley right by our rooms. They gave the command here and fired. Then they came out on Elizabeth street. There they gave the same command again—"Halt; fire!"

Q. Could you tell who they were—negroes or white people?—A. Well, it was a good, strong voice and English spoken.

Q. Could you see them?—A. No; I could not leave my wife; she was in hysterics.

Q. You heard those commands?—A. Yes; and heard them say, "There goes the son of a bitch," and something else, "Get him!"

Q. Could you say whether it was a negro's voice?—A. I think it was. It was very coarse.

Q. After the command what did they do?—A. Well, they ran on down, and there was a shot or two fired then.

Q. Toward the corner of Thirteenth and the hotel?—A. Yes. Then they gave another command. The best that I could locate it was from this corner opposite the hotel. Then they fired, and must have fired that volley at the hotel, for there are the bullet holes showing that they must have been shot from that corner. One of them past thru a window facing and thru a door and struck the wall.

Q. Have you got any of those bullets?—A. Yes: I gave them to Fred. Combe.

Q. What were they?—A. Steel jackets.

Q. How many shots did you hear?—A. About 50.

Q. Where did they shoot the policeman—right here (pointing out of window of Wells' office)?—A. I do not know, but they were bound to have shot him when they came out of the alley, for then they hollowed, "There goes the son of a bitch; get him!" Then I picked up a lot of bullets (meaning cartridges, evidently) in the alley, empty and loaded.

Q. What were they?—A. 1205, new army gun, Springfield model.

Q. That is all you know?—A. Yes.

Q. Do you know whether or not any of your guests actually saw the negro soldiers?—A. Yes: Mr. Borden and Mr. Chase had their heads out of the window and saw the squad of five or six. They shot just about then, and the bullets hit right close to the window. One bullet came thru the screen, and when it hit the window went straight up.

(Excused.)

Mr. EPOLITA MARTINEZ called to the stand, but, as he was called to verify a rumor concerning a soldier's remarks in his (Martinez') drinking place, which he denied the truth of, his statements are excluded from record.

Mr. C. S. CANADA called to the stand.

Q. We are inquiring into the matter of last night with a view to ascertaining who the guilty parties are. We know they were negro soldiers. If there is anything that would throw any light on the subject we would like to have it.—A. I did not see a single man that

I am sure. My room is up on third floor. As soon as the shooting began I went down on second floor and went out on the gallery. I saw that policeman and saw that the horse was wounded. He staggered and fell. I could tell by his rather dark clothes that he was an officer.

Q. Could you see who fired the shots?—A. No; I could not give any description of the men. I could hear the peculiar click of the gun, and I would swear it was a rifle.

Q. Could you tell whether it was an ordinary rifle or a Krag?—A. They were the same as the shots fired in the alley.

Q. You could not hear them say anything?—A. Perhaps, if I had been listening for that purpose alone.

Q. How many shots were fired from the corner at the horse?—A. At least three.

Q. How many in all did you hear?—A. Not less than 150; perhaps 200. Between those two numbers. It is more or less a guess.

Q. Did you hear any commands? Hear "Fire," or anything that way?—A. The only thing I heard them say was, "We got him," when the horse fell.

Q. Did you see or hear anything that would lead you to believe that they were negro soldiers?—A. Nothing except the general tenor of the affair.

Q. The next firing was up the street?—A. Yes; they went on up the street firing.

Q. From the tone of the voice that you heard make the remark, "We got him," were they Americans or Mexicans?—A. I think they were negroes. I was raised among them and know their voices pretty well.

(Excused.)

Doctor Combe states what Mr. Odin, who is now out of the city, said in regard to the shooting (made in presence of Judge John Bartlett):

That about the middle of the night of August 13 he was standing at a window of his room in the Miller Hotel and he heard a squad of men coming down the alley; that they arrived at the corner of the alley and he recognized that they were five negro soldiers; that when they arrived at the intersection of Thirteenth street and this alley one, apparently in command, gave the order, "There he goes; shoot him." That immediately a volley was fired, and then one of the men leveled his piece at the window and fired, the bullet passing thru the casing and going into the ceiling directly over his head. One of his children fell to the floor and he thought it was shot. His wife was present at the window.

(Judge Bartlett affirmed statement.)

VICTORIANA FERNANDEZ, policeman, takes stand.

Q. State what you saw.—A. I was asleep at Washington street. I was on day watch and was sleeping. I heard a single shot. I do not know whether six-shooter or gun. I went down town, down the street, and saw two men shoot at me. Do not know whether citizens or soldiers. I turned across the street into the alley. They shot at me again.

Q. Did you shoot back?—A. No; had no chance. They shot at me the third time—three men with big guns. I shot back. They were dressed in khaki pants.

Q. You can tell these army guns when they shoot?—A. Yes.

Q. These were army guns?—A. Yes.

I came on Sixteenth street. I saw a crowd at Mr. Tillman's saloon. I went inside and found Frank Natus lying down dead.

Q. How many shots did you hear last night altogether?—A. About fifty.

Q. Did you know any soldiers that fired?—A. No.

(Excused.)

MR. STARCK called.

Q. Tell what you know.—A. I don't know that I can help you much. About half past 12 last night I was awakened by a volley being fired into my home. One of the shots past right over our beds, thru both our bedroom and my children's bedroom. I saw man running down the street coming this way. He had a rifle in his hand in about this position (motions at shoulder). I came to the window and saw an object behind the trees at Mr. Turk's and was about to come down on him when I recognized him as one of the policemen.

Q. Were you able to identify any of them as being negroes?—A. No.

Q. You only saw one man?—A. Yes; but there were more than one, for there was a volley.

Q. How many shots did you hear before and after?—A. I could not say exactly—fifty or a hundred. I heard a lot of shooting after the bugle call at the post.

Q. When were the shots?—A. Just after the bugle call. The first shooting was after the bugle call.

(Excused.)

MR. C. C. MADISON takes the stand.

Q. We are here for the purpose of obtaining information touching what happened last night. Tell us everything you know about it. Who you saw shoot, if anybody.—A. We (Mr. Madison was accompanied by another tinner and could not be induced to converse in anything but the first person plural) did not see anything. The shooting took place 10 or 15 feet from where we were sleeping and we could hear them throw the cartridges in the guns. They were Springfield guns. I know what they sound like when a cartridge is thrown into them, and I heard a low whistle and heard somebody hollow "Halt!"

Q. How many shots did you hear?—A. Twenty or thirty in the alley and many more in the city.

Q. Did you hear the men talk?—A. Yes.

Q. Were they Americans or Mexicans?—A. They were negroes.

Q. Were you sleeping on ground floor?—A. Yes.

Q. Doors open?—A. Yes.

Q. Could you see anything when you looked out?—A. No; but we never put our heads out.

Q. Where did you hear them say "Halt?"—A. Out in the lot.

Q. How many were there?—A. Seven or eight.

Q. Which way did they go?—A. Toward the livery stable.

Q. Were you ever in the service?—A. Yes; five years, and I know the sound of cartridges when they are thrown in.

Q. Did you see or hear anything that would lead you to believe that they were negro soldiers?—A. Yes; I know by their talk that they were negroes.

Q. Did you see any soldiers?—A. No.

(Committee adjourned until 9 o'clock Wednesday, the 15th.)

Committee convened at 9.30 Wednesday, the 15th of October [August], 1906, and to begin business had—

Mr. J. P. McDONALD called to the stand.

Q. We are here to get what information we can that will throw light on the circumstance.—A. I board on the little block next the garrison, about the middle. I knew there was bitter feeling in town and thought that if they caught any negro soldiers up town they might to [*sic*] them up. So I laid awake; never pulled off my shoes. When the first fire started I jumped up. There were from six to ten shots on Elizabeth street; then they ceased. I went down the street to the next block and on to the alley and stopt on the corner. The shooting commenced again just inside the garrison wall. Then I saw some men assembled by the garrison wall near the telegraph office. There were about 20 men. I don't know where they came from; did not see them scale the wall or come thru the gate. I think they were in trousers and shirts. I don't know whether they were negroes or white men, but they were United States soldiers. They went into the alley where I first stopt (I had moved back) and commenced shooting. I was 30 or 40 steps from them. Five or six men went up that alley, and I could see their guns distinctly. I did not hear any roll call, but I went home soon after that and then came down town.

Doctor THORNE called.

Q. Tell the committee what you know.—A. I know nothing except what I heard. I heard the firing when it commenced, and supposed there was a rampage. I was in bed. There was only a thin wall between me and the alley. I heard one man say, "There he goes," or "There they go," or "There he is;" then another spoke in a loud voice, "Give them, or him, hell," and louder still, "God damn him." It was a negro's voice. Three bullets went into my house. I did not hear them go back down that alley, for I got up and went down town.

(Excused.)

HERBERT ELKINS called to stand.

Q. You know the object of this meeting. We know that this outrage was committed by negro soldiers. We want any information that will lead to a discovery of whoever did it.—A. About fifteen minutes before the shooting came up I went up to my room in the Lahay Hotel, second story back. When the shooting commenced I got and sat in the window. They came up the street; two of them



seemed to be in the lead. There were five or six. I could swear they were negro soldiers. They emptied their guns into Mr. Cowan's house and then split up, and part of them went up Elizabeth street. One of them got into a mudhole and hollered for the others to go around the other way. They wore khaki pants, regulation blue shirts, and belts. The two in advance were small black negroes, none of them over 5 feet 6. I might recognize the voice of the one that got into the mudhole, and think I could recognize him, but maybe I could not pick him out. They did not turn back when the bugle call sounded, but went on, and in a little while they came back. I saw them shoot into Mr. Cowan's house once, and I think they shot into it three times. They got back to the barracks before the roll call and I think before the squad went out in town. When the squad went back I was standing with Mrs. Lahay at her front gate, and the squad past within a few feet of us. One little black negro, who I took to be the same one that got into the mudhole when they were shooting into Mrs. Cowan's house, said, "We'll kill the rest of the sons of bitches to-morrow." I heard the policeman shoot up-town; could tell it because the shots were dull.

(Excused.)

MACEDONIO RAMIREZ called to stand. (Policeman on duty that night.)

Q. You were with Joe Dominguez?—A. Yes.

Q. Did you see the shooting?—A. Yes.

Q. Did you see the soldiers?—A. Yes.

Q. How many?—A. Five or six.

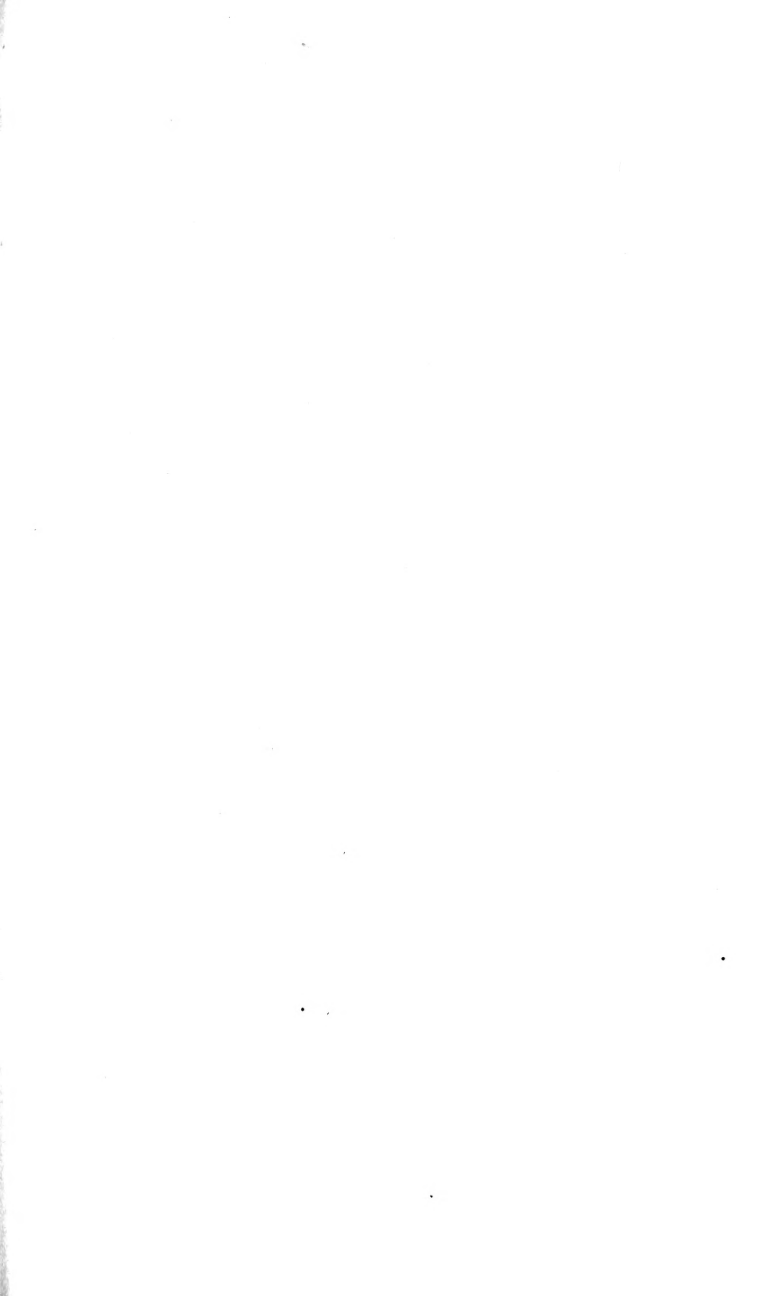
Q. Where were you?—A. When the first shots were fired I was standing at the corner of the Alamo alley. When I heard the shots I ran to the next corner. I then ran down Washington street until I reached Mr. Bolack's corner. When I reached Bolack's corner I met the lieutenant police and Padron coming from the direction of the garrison. I asked the lieutenant police what was up. He said he did not know. He supposed the soldiers were firing. As we turned the corner—the lieutenant police was ahead, Padron was behind him, and I was behind Padron—we heard one or two shots from the corner of the hotel. As we came near the alley we heard the locks of the guns that they were loading. When we were in front of Mr. Wells' office five or six soldiers appeared at the corner of the alley. One of them said, "Here he goes; shoot him," and three or four shot at Domingo, and one of them remarked, "Give it to him." None of us shot. Padron went up Washington street, and I went up Thirteenth street. When I reached the house where Mr. Carson keeps, they shot my hat off. I heard them shoot in the direction in which the other policeman ran. I ran up that way and came back down on Elizabeth street and intercepted the company. I was standing on Crichell's sidewalk; the company was in the middle of the street, and Marcellus was on the opposite side of the street. One of the men called the attention of the captain to the fact that there was a man in the street with a gun in his hand. Marcellus Daugherty stated that he was an officer of the law. He ordered them to march, and they stood still. Then he ordered them the second time, and they marched. Some of the men had their guns on their

shoulders, and some of them carried their guns in their hands. They were talking and seemed to be in a bad humor. They said something to their captain when he ordered them to march, and he ordered them a second time, and they marched on. They had stopt, and said, "There is a man with a gun in his hand."

(Excused.)

(Mr. Smith, working for the committee in the capacity of stenographer, as a matter of courtesy, asked to be excused in order to transcribe his notes before the time set for his departure from the city. Whereupon he was excused.)

Genaro Padron's testimony.—My name is Genaro Padron. City policeman of the city of Brownsville. On the night of the 13th instant about 12 o'clock I was at the corner of the Merchants' National Bank, when I first heard some shots in the direction of the garrison. It was in the direction of Fort Brown. I was then starting up Elizabeth street with Florencio Briseño; ran very fast toward the garrison, and then as I was passing Mr. Tillman's saloon I asked him if he had a gun, and he said that he had only a .45 caliber, which I took. I ran in the same direction, up the street with Briseño, turned the other street, and went near the corner of Bolack's house, and then went up his side of the house and turned the corner and went into the Pecina's yard. Before that I had met Lieutenant-Policeman Ygnacio Dominguez, who was in then in front of me. I then came next, and Macedonio Ramirez was behind me. I told him "You had better not cross that alley, for the soldiers are firing from in there," and he then crossed the alley and was looking in the direction I had told him the soldiers were, and at that moment they came out and opened fire on Dominguez. As I said before, I was behind Dominguez and Macedonio Ramirez was behind me. I could hear the soldiers were talking. I then came around the corner and looked about, but I did not see anybody. I then saw the lieutenant police, Dominguez, cross the alley and Macedonio and myself coming right behind. After the lieutenant policeman, Dominguez, had gone across I could see the flashes of the guns giving the reflection on the glass windows of the opposite building. And then I saw the lieutenant police, Dominguez, go in a walk on his horse crossing the alley, when I then heard a soldier say: "There he goes." I then backed a little, but I could never see Macedonio Ramirez after that. I was trying all the time to find out where he had gone. When the soldiers came out of the alley they turned their guns and fired. There must have been three or four of them. Then about three more came out at the corner of Bolack's house out into the street and fired on Dominguez. After that I backed and fired my pistol at them, and then they fired on me. At that time I turned toward the Sahualla's store, Washington street, and saw that they were about seven or eight soldiers, armed with rifles, going in the middle of the street, and I then took said Washington street, hiding and walking in the dark, taking behind the trees that are on the sidewalk, and then they fired another volley. When I got near a big nogul (walnut) tree they recognized me, and they fired again at me, but I kept backing and backing every time until I got to the corner of Sahualla's store, but I keeping in the shadow all the time, taking the sidewalk of Nicolas Lopez' store, then turned around toward Miguel Fernandez' store, when at that



time I heard some one speaking, who asked me what it was, and I looked over my head and saw it was somebody, and I then told him that the soldiers had broken out of the post, firing upon the police force. I then went up to the corner of the First National Bank, turned there, and went toward the Merchants' National Bank and got behind a thick post—the thickest one that was around there. I then heard that some was knocking at the store of McDonald's store and went in that direction and asked him, "Who is that?" And he replied, "It's the Mayor, Federico Combe," and we then walked up the street toward the Merchants' National Bank, and I then told him that the soldiers had broken out of the garrison, and perhaps Lieutenant Police Ygnacio Dominguez was hurt, as I had left him some few moments before. I did not know where he was. We then came in the same direction of the street. By that time people were congregating on the street near Tillman's saloon, and somebody said there is a dead man in there. Then the Mayor went in and told me to keep guard at the door and not to let anyone pass unless he was a peace officer. I then said, "Two more policemen are missing, José Coronado and Florencio Briseño." Both of them were not there. Yes, sir; I know they were soldiers, because they were in their uniforms. This talking I heard near the alley of Bolack's was just opposite the door of Bolack's, the big entrance door, about the third door from the alley corner, I think. Yes; I heard voices say, "There he goes; shoot him." Then it was when they fired on Lieutenant Police Dominguez. That is all.

Guy Rentfro's testimony.—Was at Creager's house on Monday night last, and heard some voices; shortly after heard the words, "There he goes;" and after that—about 15 or 20 minutes after—I heard some more shots. Did not hear any conversation. That was Monday night last. I know Mike Hamilton. He is a colored man. Saw him going in direction of Tillman's house, near last street of garrison wall. Have not seen him since. Three or four guards are stationed inside firing line. Was still going in direction of garrison when last saw him. That's all.

Celedonio Garza's testimony.—Yes, sir; I am sheriff of this county. On Monday last I came into town, and was advised that soldiers had broken out of the post. After the shooting I came out to see what was the matter, and I met somebody and was told that Lieutenant Police Dominguez had been wounded, his horse killed, and that a young man had been killed in Tillman's saloon. This was a little after half past 12 o'clock. I was coming near the church with Antonio Villareal's brother, and a few moments afterward I saw that some soldiers were coming in the direction of the jail from the old graveyard. Stayed outside; and shortly after I saw they were armed soldiers. Soon after that I went to give protection to the jail. I went inside and locked the gate, and they came up the jail, and a white man, or the captain—I don't know which—asked me, "Who is the manager here?" I replied, "I am the manager." And he then said, "How many citizens have you in jail?" I said, "None, to-night." Why soldiers have been shooting the town. I says the lieutenant police has been wounded, his horse killed, etc., and then he ordered them, "March." No; he did not say who he was. They then went in the direction of Elizabeth street. The order which he

gave the soldiers when they got to the jail was, "Halt." When he ordered them to march they moved promptly. I noticed that two soldiers were in front unarmed. They appeared to me to be prisoners. They were way in front. The rest were armed—I think so. Before going away from jail I told Justo Herrera and Antonio Villareal to look for Mike Hamilton, whom they found, and took him to jail. But he completely denied any connection with the trouble. Said that he knew nothing about the affair. He had no gone [gun?] in his possession. Yes; the party who went to the jail asked me, "How many citizens have you in jail?" I replied, "I haven't received any yet." They were at the jail a little after half past 12 o'clock. That is all.

F. M. McCampbell's testimony.—I was on my way to the house on the night of the 13th, when we met some soldiers, and they turned the guns on us, and asked us, "What are you sons of bitches hunting for?" I think it was a whole company. I did not see any white officer with them. I just saw the ranks of the soldiers. They went in the direction of town, and we care very little if we shoot you full of holes, they said. Mr. Fielder was going to the hotel. I did not see any firing. I don't think there was a commissioned officer with the soldiers. That's all, about, I know. This happened right about behind the market. There must have been about fifty or sixty men in the company. Mr. Fielder was with me going to the Rio Grande Hotel at that time. That's all.

M. G. Dalling's testimony.—I am a State ranger. I have come into the possession of some information this morning, which I got from this soda-water man who sells soda water. He told me that this soda-water man had been told by a saloon man who keeps a saloon in the edge of town that some shooting had been done last night, and that Company C could have taken the whole town if they had wanted to, and that they could take the whole damn State.

G. W. H. Rucker's testimony.—About Monday night, last, about half-past 8 o'clock, I took two cases of soda water to saloon near edge of town. There were about thirty or forty negroes inside, gambling, as near as I can ascertain about the crowd, and I heard three or four negroes making threats, that they would die and go to heaven before they would go back into post. But do not know what the conversation was about. Yes, I know if I would see this soldier again I would recognize him. I could pick him out of a crowd. He was a soldier. Yesterday morning I past this negro saloon, but nobody was there. At about 12 o'clock, it must have been, as I was picking up empty cases, I went to this saloon, and the proprietor told me that he did not need any "pop," as the boys had been having a little trouble with the citizens, and they were all in the post. He is working for two soldiers who are in the post, who own the saloon. He said that if a gun had been fired last night that Company C could have come out without any orders, and would run every man out of town. That this Company C could whip the whole State of Texas.



B'''.

BROWNSVILLE, TEX., *August 23, 1906.*

HON. JOHN W. VANN,

*Collector of Customs, Brazos de Santiago District,
Brownsville, Tex.*

SIR: In compliance with your request I hand you herewith an exact account of when, where, and how the difficulty occurred between myself and a negro soldier.

On Sunday evening, August 5, 1906, at about 9 o'clock, I was walking down Elizabeth street in this city, in company with my wife and little daughter, Mrs. Virgie Wilkins, Mrs. H. Faisans, the two Misses Brulay, and Mrs. Fannie Putegnat. The ladies stopt to chat in front of the vacant lot next to the Stow residence and in front of Capt. Robert Dölzell's residence. They had stood there possibly three or four minutes when two negro soldiers came along the sidewalk going north. On reaching the ladies, who were standing close together in the middle of the sidewalk, the negroes, instead of stepping around them (as they could have easily done, since there was the vacant lot on one side and the street upon the other) pushed and elbowed their way thru them jostling and rubbing against them as they crowded thru. My wife, who was standing next to me, was rudely jostled by one of them. I immediately drew my revolver and struck one of them—the one who jostled my wife. The other immediately took to his heels and ran away.

Any statement that I cursed either of these negroes is unqualifiedly false. I told the one I knocked down that he would probably now know better than to run into white ladies on the sidewalk.

Very respectfully,

FRED TATE,

*Inspector of Customs, Brazos de Santiago District.*THE STATE OF TEXAS, *County of Cameron:*

Before me, the undersigned authority, on this day personally appeared Fred Tate, who, being by me duly sworn, stated under oath that each and every statement contained in the foregoing letter addrest to Mr. John W. Vann, collector of customs, Brazos de Santiago district, was true, and that same constituted a full and fair statement of the occurrences therein described.

Witness my hand this 23d day of August, A. D. 1906.

[SEAL.]

R. B. CREAGER.

United States Commissioner, Southern Texas District.

Having read the foregoing statement, I certify that the same is true and correct.

(MRS.) VIRGINIA WILKINS.

Having read the above statement, I certify that the same is true and correct, except that I was not walking with them, but met the above-named parties at the place named and was standing with them when the difficulty occurred.

(MRS.) FANNIE PUTEGNAT.

BROWNSVILLE, TEX., *August 24, 1906.*

On the night of August 5, 1906, between the hours of 8 and 9 o'clock, I was on my way home in company with Mr. R. A. Cunningham and was crossing the street between Captain Dalzell's residence and Mrs. Fernandez, when I heard a commotion across the street where a crowd of ladies was standing, and heard Mr. Tate say: "Move on; if you do that again I will kill you." Then I saw a negro soldier cross the street and run by where I was and turn the alley corner. He was a strapping big fellow. There was no fence where the crowd of ladies were standing, nothing but a vacant lot on one side and the street on the other.

W. A. RUTLEDGE.

I was with Mr. W. A. Rutledge that night, and the above statement made by him is true and correct in all respects.

R. A. CUNNINGHAM.

BROWNSVILLE, TEX., *August 25, 1906.*

On the night of August 12, 1906, while I was on duty at the ferry crossing, two negro soldiers came over from Matamoros, Mexico, drunk, and got into a difficulty with Polonio, one of the boatmen, they having refused to pay their fare. My attention was attracted to them by their profane language. I stepped off the gallery to the plank walk and told them to stop using bad language and tried to get them to go away to town, but they refused to do it. I then took hold of one of them by the arm and pushed him forward; he was very drunk and stepped off the plank walk into a mudhole. As the nigger walked off he said: "We will see about this to-morrow."

The next evening (Monday) two negro soldiers came into my house. When I heard some one coming up stairs I stepped out of the room and found them at my door, having come upstairs. They inquired of me if Baker lived there. I told them I was Baker. They asked me if I was from Georgia. I told them, no; for them to leave. They left.

A. Y. BAKER,
Mounted Inspector.



REPORT OF LIEUT. COL. LEONARD A. LOVERING, FOURTH INFANTRY, ACTING INSPECTOR-GENERAL.

HEADQUARTERS SOUTHWESTERN DIVISION,
INSPECTOR-GENERAL'S OFFICE,
Oklahoma City, Okla., October 4, 1906.

SIR: I have the honor to make the following report of an investigation made by virtue of the following letter of instructions:

HEADQUARTERS SOUTHWESTERN DIVISION,
Oklahoma City, Okla., September 24, 1906.

Lieut. Col. L. A. LOVERING,

Fourth Infantry, Acting Inspector-General, Oklahoma City, Okla.

SIR: By direction of the division commander I inclose you herewith the affidavits ^a of Capt. D. W. Kilburn and Second Lieut. E. P. Thompson, Twenty-sixth Infantry, with reference to certain troubles which occurred at Brownsville, Tex., between soldiers of the Twenty-fifth Infantry and civilians. He directs that you proceed to Fort Reno, Okla., accompanied by Mr. T. G. Eskridge, your authorized clerk, and make an investigation and report on the matter, upon completion of which you will return, accompanied by Mr. Eskridge, to these headquarters. The travel directed is necessary in the military service.

Very respectfully,

JNO. V. WHITE,
Major, Military Secretary.

I examined all the witnesses available and secured numerous affidavits.

Upon investigation the following was developed:

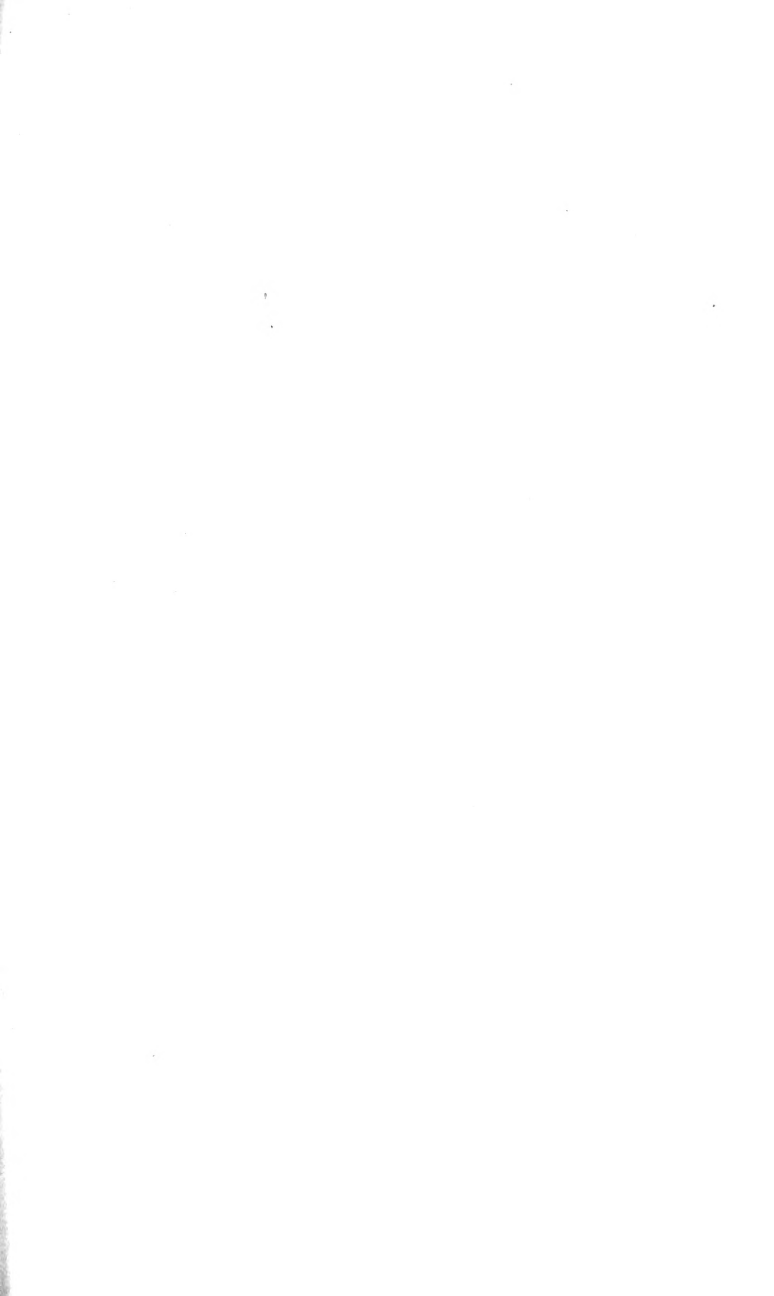
The following enlisted men of the Twenty-fifth Infantry were seen in the garrison by officers before the shooting ceased:

	Page.
Sergt. W. Harley, Company C	1, 5 [39, 42]
Corpl. C. H. Madison, Company C	1 [39]
Artificer G. W. Newton, Company D	3 [41]
Corpl. D. Powell, Company D	3 [41]
Q. M. Sergt. T. J. Green, Company D	3 [41]

The following men of the Twenty-fifth Infantry, now prisoners at Fort Sam Houston, Tex., can apparently prove an alibi:

	Page.
Corpl. C. H. Madison, Company C	1, 39 [39, 63]
Sergt. G. Jackson, Company B	10, 13 [45, 47]
Sergt. D. W. O. Brawner, Company C	7, 27 [43, 56]
Sergt. J. R. Reid, Company B	15, 24, 30, 42, 48 [48, 54, 57, 65, 69]
Corpl. D. Powell, Company D	26 [55]
Private J. M. Howard, Company D, on post No. 2	92, 109 [95, 101]
Private C. W. Askew, Company C	6 [43]
Private J. Holloman, Company B	11, 14 [46, 47]

^aSee p. 94.



The following men had had trouble in Brownsville:

		Page.
Private J. W. Newton, Company C.....	2, 26	[40, 55]
Private F. J. Lipscomb, Company C.....	2, 36	[40, 61]
Private C. I. Adair, Company C.....	2, 33	[40, 59]
Private W. E. Jones, Company D.....	4	[41]
Private O. W. Reid, Company C.....	30, 33	[58, 59]
Private Wm. McGuire, Company C.....	75, 76	[87, 88]
An unknown enlisted man with one Bates.....	90	[94]

The following men were not in the vicinity of post at time of firing:

- Private Ruby Wilson, Company B, absent sick.
- Sergt. William Blaney, Company B, on furlough.
- Private Charles W. Johnson, Company B, on furlough.
- Private Lewis C. Owens, Company B, absent sick.
- Artificer Thomas H. Jones, Company B, detached service, at Fort Sill, Okla.
- First Sergt. William Turner, Company C, at Fort Sill, Okla.
- Corpl. John Young, Company C, at Kansas City, Mo.
- Private James Williams, Company C, at Fort Bayard, N. Mex.
- Sergt. George Derrett, Company D, absent on rifle competition at Fort Sill, Okla.

The following men were absent from company quarters:

		Page.
Private William Smith, Company B.....	10, 65	[46, 80]
Private Elmer Brown, Company B.....	10, 64	[46, 79]
Private A. N. Williams, Company B.....	10, 63	[46, 78]
Private John Brown, Company B.....	10, 64	[46, 79]
Private E. Lee, Company C.....	28	[56]
Private G. Johnson, Company C.....	29	[57]
Private J. T. Harden, Company C.....	32	[59]
Private E. Johnson, Company C.....	34	[60]
Private J. Kirkpatrick, Company C.....	35	[61]
Private Robert Turner, Company C.....	38	[63]
Private W. E. Jones, Company D.....	46	[67]
Private James Newton, Company D.....	47	[68]
Private W. Mapp, Company D.....	48	[69]
Private A. Haley, Company D.....	53	[72]
Cook C. Dade, Company D.....	59	[76]
Private J. Bailey, Company B.....	81	[91]
Sergt. G. Thomas, Company C.....	8	[44]
Corpl. C. H. Hawkins, Company D.....	20, 46	[52, 68]
Private W. Johnson, Company D.....	20, 56	[52, 74]

REMARKS.

It was found to be difficult to obtain testimony about trouble between soldiers and civilians in Brownsville. I failed to obtain further information in regard to the Bates affair referred to by Second Lieut. E. P. Thompson, Twenty-sixth Infantry.

Attention is invited to testimony as to expressions heard while firing was going on—"Black sons of bitches," etc. (pages 83, 85, 95) [92, 93, 96].

Attention is invited to testimony regarding the scavenger (pages 23, 88, 89) [53, 19, 20].

Cook Dade's affidavit shows that a man could have taken part in the shooting and returned to his company undetected (page 96).

The animus of the white citizens of Brownsville is shown by—Hotel clerk's statement (page 6) [43]; treatment of colored soldiers above mentioned; statement of Mr. Tillman (page 91) [94].

It is noted that United States officials appear to have taken part in this animus.

Attention is invited to the inclosed testimony and affidavits of officers and enlisted men and the scavenger.

Attention is invited to lists of enlisted men, showing whether present at Fort Brown or absent from the vicinity of the post on August 13, 1906.

Very respectfully,

L. A. LOVERING.

*Lieutenant-Colonel, Fourth Infantry,
Acting Inspector-General, Inspector-General.*

The MILITARY SECRETARY,

Southwestern Division, Oklahoma City, Okla.

[Inclosure No. 1.]

SWORN TESTIMONY OF OFFICERS AND ENLISTED MEN OF THE TWENTY-FIFTH INFANTRY, TAKEN BY LIEUT. COL. L. A. LOVERING, FOURTH INFANTRY, ACTING INSPECTOR-GENERAL, SEPTEMBER 25, 1906.

Maj. C. W. Penrose, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I was in my quarters: quarters of the commanding officer, Fort Brown, Tex.

Q. Awake or asleep?—A. Do not think I was asleep; I am satisfied I heard the first shot. I had been in bed, tho. probably half an hour.

Q. When and where did you first see any of the enlisted men of the garrison?—A. In front of C Company's barracks.

Q. What enlisted men did you see before the firing ceased?—A. I saw a good many men of C Company coming from the barracks. It was Corporal Madison, I believe, that I sent for Captain Macklin. The acting first sergeant, Sergeant Harley, I saw in front of the company barracks. I think those are the only names that I can call. While the shooting was going on there were a great many of the men of C Company that were coming out of barracks.

Q. When were the rolls of the companies first called?—A. They were called immediately after call to arms was sounded—as soon as the men came out of barracks.

Q. Before the firing ceased?—A. No; I think the firing had all ceased when the rolls were called.

Q. Did you visit the guard that night?—A. Not before the shooting finished.

Q. Did you see any of the men now held in prison in Texas before the shooting ended?—A. Yes, sir; Corporal Madison.

Q. Before August 13 had you any knowledge of any trouble between any of the enlisted men and citizens in Brownsville?—A. Of my own knowledge, I had not.

Q. Did you ever have any conversation with citizens of Brownsville in which they express any opinion about the colored troops?—A. No, sir; I did not.



Capt. E. A. Macklin, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I did not hear the shooting, as I was in my quarters asleep.

Q. On what duty were you?—A. I was officer of the day.

Q. Then you did not see any enlisted men before the firing ceased?—A. No, sir; I did not.

Q. On the night of August 13 when did you visit the guard?—A. The last visit that I made to the guard was after check roll at 11 o'clock, when I went to visit the sentry in rear of the men's quarters. I walked around in rear of my own quarters and in rear of the quarters of Company B. Was in the dark all the time and at no time saw any soldiers at all. I found the sentry around on the front side of the building.

Q. Who was this sentry?—A. I could not tell his name. He was a man of Company D; private, Company D.

Q. Have you personal knowledge of any trouble between soldiers of the Twenty-fifth Infantry and citizens of Brownsville before August 13?—A. Yes, sir; a case occurred of men in my own company, reported to me as company commander. The next case that I knew of was that of Privates Newton and Lipscomb. I have forgotten the date, but I think it was the Sunday previous. Newton came to me about half past 8 in the evening and reported that he had been assaulted by a man in Brownsville.

Q. Name known?—A. I found out his name afterward. Did not know his name at that time. His story was that he and Lipscomb were walking down the main street in the residence portion of the town and that ahead of them were a party of women and one man, all standing on the outer side of the walk. That to get by them it was necessary for them to either go out in the street or pass between this party and the fence. He said there was lots of room, so they went single file between the party and the fence, and when opposite the man the man struck him in the head with the butt of a revolver and knocked him down. The man said at the same time, "You damned nigger," or something like that, "I will teach you damned niggers to get off the sidewalk for white ladies." I asked Newton if he made any resistance, and he said that his first intimation was to jump up and strike the man, but the man covered him with a revolver. Lipscomb said that as soon as he saw Newton fall and heard what the man said he ran away. That is, he ran to the corner and waited for Newton.

Q. Any other men complain?—A. Yes, sir; Private Adair reported that he came from Matamoros and had in his pocket a little pen or a penholder, as I understood it; that the cost was a dollar Mexican (fifty cents gold); that he was searched by the custom-house man, who said, "Here, I will not let any damned nigger smuggle anything across this river," and took the pen away from him. This was on Saturday previous, August 11. Another of my men, Private Reed, was knocked off the sidewalk into the overflow of the Rio Grande by a custom-house man.

Q. Any others?—A. That is all.

Capt. S. P. Lyon, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I was asleep in my quarters at Brownsville, Tex.

Q. When and where did you first see any of the enlisted men of the command?—A. In front of my quarters. In front of D Company's barracks. The men were falling in when I got over there.

Q. What enlisted men did you see before the firing ceased?—A. I saw practically my whole company. The first man I spoke to was my quartermaster-sergeant, Green.

Q. Can you name any others you saw before the firing ceased?—A. I saw my artificer, Newton, and my noncommissioned officer in charge of quarters, Corporal Powell. Those are the only three that I can name, as I did not speak to any other men.

Q. You saw these three men before the firing ceased?—A. Yes, sir.

Q. When was the roll called first?—A. The company was formed and the men counted off. The commanding officer directed me to put my men along the wall dividing the post from Brownsville at once. I did that, and then the roll was called. The first sergeant with a lantern, and myself, went down the line and saw that every man was present; that is, that a man answered the name of every man. I should say that was within five minutes after the call to arms.

Q. How long after the last shot had been fired?—A. I couldn't say, because after the main shooting was over there were scattering shots from the town; that is, as the Mayor explained to me, the people were frightened, and that they were shooting out of their windows, so that those shots were occasionally heard quite a little while after the main shooting.

Q. Were there any absentees at this time?—A. There were two men of my company who were on pass. Their guns were in the racks. I had the guns verified as soon as roll was called.

Q. Were the rest of the men all present?—A. The other men were all present, except these two that were on pass.

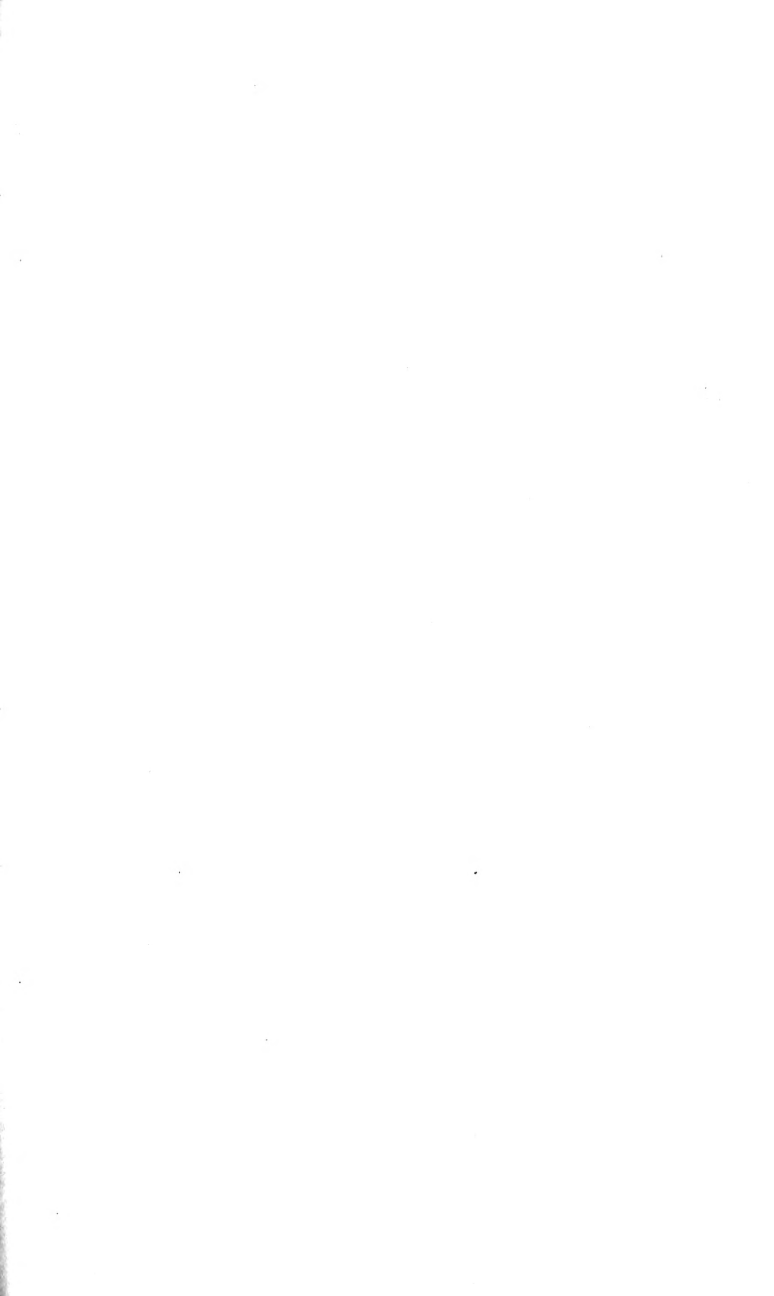
Q. Who were they?—A. Private Walter Johnson and Corpl. Charles H. Hawkins.

Q. Of your own knowledge do you know if any of the men of your company were mistreated by people in Brownsville?—A. No, sir.

Q. Any complaint made by your men?—A. No; there seemed to be no trouble at all between my men and the people of Brownsville. The only instance of which I have any knowledge or even heard was the case of one man; he was my striker. He went into a drug store to buy something to alleviate the irritation of mosquito bites and they refused to sell him anything. That was the only instance. William E. Jones, his name.

Q. Did you go into town after the shooting with or without troops?—A. Yes, sir. Shortly after I had completed the check of the company, the commanding officer directed me to form my company and make a patrol thru the town of Brownsville, to find out what I could about the affair and to see if I could find any of our own men. I took my company and made the patrol as directed.





Q. Was there any disposition on the part of any of your men to obey orders slowly?—A. No, sir.

Spottswood W. Taliaferro, battalion sergeant-major, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I was in my bunk, sir, asleep, at Fort Brown, Tex., in the administration building.

Q. Who were the first enlisted men that you saw after you awoke?—A. The first enlisted men that I saw after I awoke were the corporal and sergeant of the guard.

Q. Name them.—A. Sergeant Reid, Company B, and Corporal Wheeler, of Company D.

Q. Was this before or after the shooting ceased?—A. The shooting was still going on.

Q. Was there much shooting or only a little?—A. There was a great deal of shooting.

Q. Where were they when you saw them?—A. They were at the guardhouse.

Q. Was the guard formed?—A. There was a few members of the guard lying prone as skirmishers in front of the guardhouse. I could not tell what the rest of the guard was doing or where they were.

Q. How long did you stay at the guardhouse?—A. Not more than a minute; hardly a minute. I was looking for the major.

Q. Did anybody come to the guardhouse while you were there?—A. No, sir.

Q. Did you find the major before the firing ceased?—A. Yes, sir.

Q. What enlisted men did you see before the firing ceased?—A. I saw the men that I have named and one patient in the hospital; I am not certain what his name was; was of Company B, standing on the porch in night clothes. And I saw very nearly the whole of Company C. Sergeant Brawner, Company C. I couldn't name any more names. Colonel. I saw a crowd of men and there was no roll call made and I wouldn't like to say I saw this one or the other, because there was no roll call at the time and I don't know the names of all the men.

Lieut. Harry S. Grier, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced at Brownsville?—A. Asleep in my quarters.

Q. On what duty were you?—A. Post quartermaster and commissary; also acting post adjutant.

Q. Who were the first enlisted men that you saw?—A. Sergeant Harley, acting first sergeant, Company C.

Q. Was this before the firing ceased or after?—A. Before the firing ceased.

Q. Do you remember any other particular name that you saw before the firing ceased?—A. No, sir; by the time I got over to the barracks the firing stopt. I met Sergeant Harley on the brick walk coming from the men's barracks to the officers' line about three-

quarters of the way across the parade ground to the officers' line; that is, near the officers' line. I halted him, not knowing who it was (firing was still going on) and inquired who was there. Replied, "Sergeant Harley." I said, "Sergeant, what is the trouble over there?" He said, "The men say somebody in town is shooting up the barracks." I said to him, "If that is the case, what are you doing over here?" He said, "I am going to get the captain."

Q. Any complaint made to you by enlisted men about their treatment by people in Brownsville before August 13?—A. No, sir; not to me in person. But I was present on one occasion when Private James W. Newton, of Company C, made a verbal complaint to his captain, Captain Macklin.

Q. Did you hear any of the people of Brownsville make any remarks about the colored soldiers?—A. I did.

Q. What did they say?—A. The very first day on our arrival in Brownsville I registered at the Miller Hotel, and in conversation with the clerk in regard to colored troops being sent to Texas he stated that the people were much opposed to their coming, and they musn't take any undue liberties or there would be trouble.

Q. Do you know his name?—A. I do not, except he is night clerk in the Miller Hotel. On several occasions I have heard people explaining, not in a resentful way, what was customary for the colored people to do in that part of Texas, especially about drinking in bar with white men.

Q. Did you ever see any soldiers mistreated in Brownsville?—A. No, sir; I did not.

Sergt. Samuel W. Harley, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced at Brownsville?—A. I was in my quarters asleep, sir; in barracks.

Q. Who were the first enlisted men that you saw after you awoke?—A. The first enlisted men that I saw when I came out of quarters after I awoke was Private Askew, company clerk. I slept in the room with him.

Q. Was this before or after firing ceased?—A. The firing had not ceased, sir.

Q. Who else did you see before the firing ceased?—A. The non-commissioned officer in charge of quarters.

Q. Name him.—A. Oscar W. O. Brawner.

Q. See anybody before the firing ceased?—A. Yes, sir; I seen Corporal Washington and also reported to Lieutenant Grier.

Q. When was the roll of your company called first?—A. It was first called after they fell in line, and also by Lieutenant Grier, who didn't have any lantern; had to call it by gaslight; and he counted the number of men. Lieutenant Grier did, and was also counted after we came back by the company commander.

Q. Were all present when you called the roll under the gaslight?—A. We didn't finish calling the roll on account of light so dim we couldn't see, and the lieutenant counted the men.

Q. How many did he count?—A. If I am not mistaken he counted 52; if I am not mistaken.



Q. When was this that you counted 52; before the firing ceased?—A. Yes, sir; the firing had ceased, after the men first fell in company.

Q. Were any men absent at this roll call?—A. Yes, sir; there were two men absent on pass.

Q. Anybody else?—A. One man slept at Lieutenant Higgins' quarters.

Q. What is his name?—A. Private Harden.

Q. Did you see Harden at all?—A. No, sir; I did not until the next morning.

Q. Before August 13 had you been insulted or mistreated or abused by civilians in Brownsville?—A. No, sir.

Q. Do you know of any enlisted man of your company who was absent from squad room or barracks without authority between 11 p. m. and commencement of firing?—A. No, sir.

Q. After the trouble on August 13 have you heard anything that would indicate who were engaged in the shooting?—A. No, sir.

Q. On or before August 13 did you hear any talk by any member of the Twenty-fifth Infantry about getting even with the citizens of Brownsville?—A. No, sir; I did not.

Q. When the company fell in, who were the last men to arrive?—A. I don't remember, sir.

Company Q. M. Sergt. George W. McMurray, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced at Brownsville?—A. In Company C quarters; asleep, sir.

Q. Who were the first enlisted men that you saw after you awoke?—A. The acting first sergeant, Harley, was the first.

Q. Was this before the firing ceased?—A. Just about the time the firing was going on.

Q. Before August 13, 1906, had you been maltreated by civilians in Brownsville?—A. No, sir; I never was out in town much.

Q. Do you know of any enlisted man of your company who was absent from squad room or barracks without authority between 11 p. m. and commencement of firing?—A. No, sir.

Q. Were you in the line of file closers when the company was formed?—A. Yes, sir.

Q. Who were the last men to arrive?—A. I was about one of the last. The company was formed when I got out.

Sergt. George Thomas, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. On the night of August 13, 1906, I was about 1,000 yards east of the post, at a colored woman's house.

Q. Did you arrive at post before the firing ceased?—A. No, sir; it was the next morning when I got there; just before reveille, sir.

Q. While you were absent from post, did you see any enlisted men of the Twenty-fifth Infantry after 11 p. m.?—A. No, sir; I did not.

Q. What was the name of the person at whose house you were?—A. Her name was Rebecca Collins.

Q. Did you hear the shooting?—A. No, sir; I did not.

Sergt. Solomon P. O'Neil, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced at Brownsville?—A. I was in my company quarters, sir; Fort Brown.

Q. Awake or asleep?—A. Asleep, sir.

Q. Was the shooting going on when you woke up?—A. The shooting woke me up, sir.

Q. Who was the first enlisted man that you saw when you woke up?—A. It was dark in the quarters, sir; you couldn't tell who you could see. Everybody seemed to be up by the time I had gotten up. I had a little room one end of the quarters.

Q. Had you been insulted or maltreated by civilians in Brownsville?—A. No, sir.

Q. Did you see any colored soldiers maltreated in Brownsville?—A. No, sir.

Q. Do you know of any enlisted man of your company who was absent from squad room or barracks without authority between 11 p. m. and commencement of firing?—A. No, sir.

Corpl. John H. Hill, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced in Brownsville?—A. I was in my quarters when the shooting commenced.

Q. Asleep or awake?—A. I was asleep.

Q. Who was the first enlisted man that you saw after you awoke?—A. I don't know, because there was not any light in the quarters. Couldn't see anyone; it was rather dark inside.

Q. Any civilian in Brownsville ever abuse you?—A. No, sir.

Q. Do you know of any enlisted man of your company who was absent from squad room or barracks without authority between 11 p. m. and commencement of firing?—A. No, sir.

First Sergt. Mingo Sanders, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I was in bed—that is, I did not live in quarters; lived in separate quarters about five or six hundred yards from barracks.

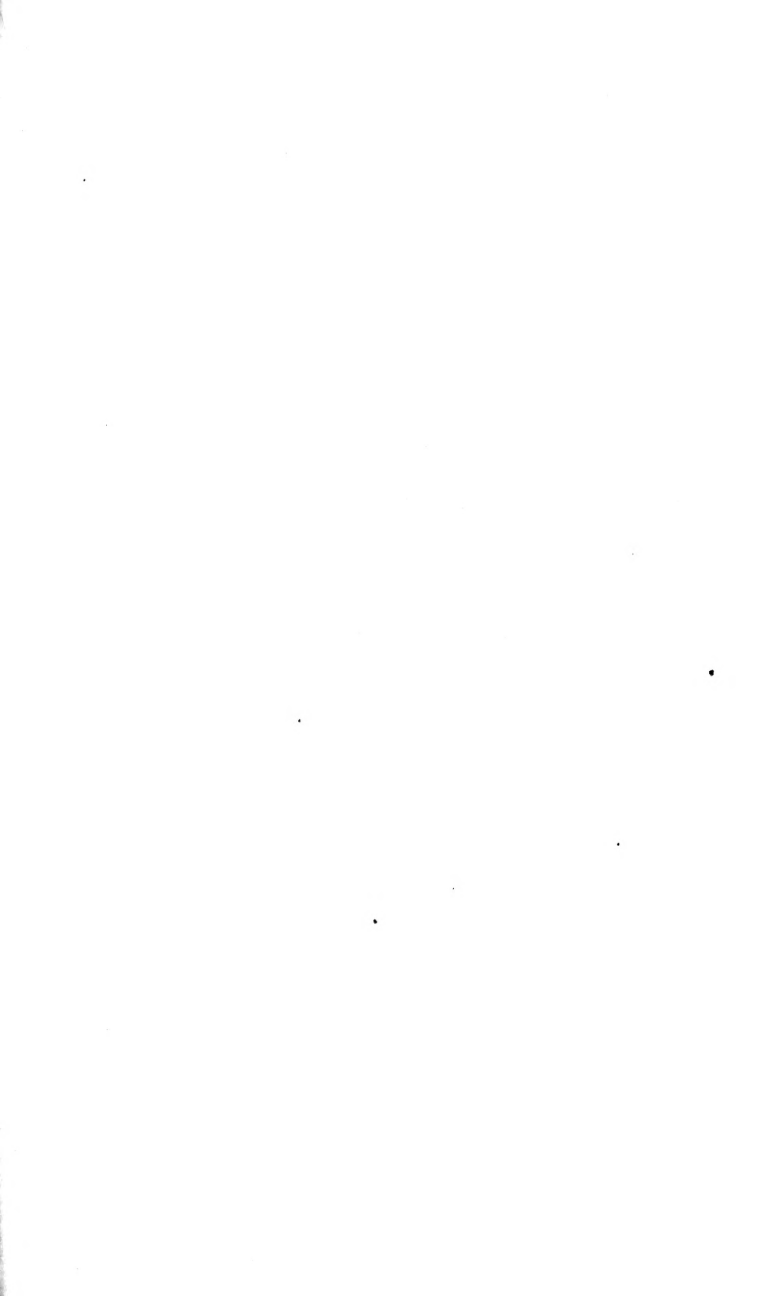
Q. When did you arrive at company?—A. When the shooting was going on.

Q. Who were the first enlisted men that you saw after you got there and before the shooting ceased?—A. Ernest English, the room orderly, was the first.

Q. Who else did you see?—A. Sergeant Jackson, the man in charge of quarters.

Q. Did Sergeant Jackson look as if he had drest in a hurry?—A. Yes, sir. He had the lantern; was how I came to see him next. I asked the room orderly for the lantern, and he said the noncommissioned officer in charge of quarters got it.

Q. Shoes tied up?—A. Had on pair of shoes all cut up; was not tied at all.



Q. When was roll of your company first called?—A. It was called during the shooting.

Q. Who was absent?—A. William Smith, private, Company B, Twenty-fifth Infantry; Private Elmer Brown, Private Alfred N. Williams, Private John Brown, Company B.

Q. Do you remember seeing Private Holloman?—A. He was standing right in front of me.

Q. Did you see him before the shooting stopt or after the shooting stopt?—A. During the shooting.

Q. When did you first see the absent men?—A. The company commander sent Musician Odon upstairs for William Smith. He returned; reported to the company commander he was asleep in his bed. That was only about two minutes; he reported to the company in two or three minutes. Alfred N. Williams reported about half an hour. I suppose it was about that time, after the first roll call.

Q. Where does he sleep?—A. At the quartermaster corral, Brownsville. Elmer Brown, he sleeps at the quartermaster corral. John Brown sleeps at the bakery.

Q. Had those two men reported present to the major at second roll call?—A. Second roll call was about half an hour after the first roll call was.

Q. The rest of the men were all present before the firing ceased?—A. Yes, sir; the company was in line practically when I got there. The major was there himself.

Q. Who was forming the company when you arrived?—A. Wasn't anyone forming it. The men were just striking line themselves. There might have been; but I didn't see any. I hollered "Form line" just the minute I got hold of the lantern.

Q. Any of the men complain to you that they had been abused in Brownsville by civilians?—A. None of my company.

Q. After the trouble on August 13 have you heard anything that would indicate who were engaged in the shooting?—A. No, sir.

Q. M. Sergt. Walter McCurdy, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced at Brownsville?—A. I was in my room, sir, asleep. My room was in the barracks, next to the storeroom.

Q. Who was the first enlisted man that you saw when you woke up?—A. I do not know; when I woke up call to arms was going. Firing was going when I got up.

Q. Have you ever been mistreated in Brownsville?—A. No, sir; because I was not out in town any while we were there.

Q. On or before August 13 did you ever hear any talk about getting even with the people of Brownsville?—A. No, sir; I did not.

Q. Who makes the check roll at 11 o'clock?—A. The noncommissioned officer in charge of quarters.

Q. In all the companies?—A. I understand in all companies; I know the noncommissioned officer always makes it in B Company.

Q. Where were you at 11 p. m. check August 13?—A. In my room, sir.

Q. Asleep or awake?—A. Asleep, sir.

Sergt. Luther T. Thornton, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I judge when shooting commenced I was in bunk, because I was awakened up by a number of shots being fired.

Q. Do you sleep in the barracks?—A. Yes, sir; in company barracks.

Q. Who was the first enlisted man that you saw when you woke up?—A. First enlisted man I saw was Corporal Coltrane; he slept in the room right across from one I slept in; small room in barracks; noncommissioned officer.

Q. Was this while the firing was going on or after it ceased?—A. While firing was going on.

Q. When was the roll of the company first called, before or after the firing ceased?—A. I do not remember just whether it was before or after the firing ceased.

Q. Have you ever been abused by civilians in Brownsville?—A. No, sir; I have never had any trouble in Brownsville.

Q. When did you first see Sergeant Jackson after the firing commenced?—A. When I first saw Sergeant Jackson he came up to my section rack to unlock it; he had the keys. Had sounded to arms from the guardhouse.

Corpl. Jones A. Coltrane, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced at Brownsville?—A. I was in bed, sir.

Q. Where was your bed?—A. My bed was in the noncommissioned officers' room of the fourth section.

Q. In or out of barracks?—A. In barracks.

Q. Were you asleep or awake?—A. I was asleep, sir.

Q. Who was the first enlisted man that you saw after you awoke?—A. The first enlisted man that I saw was Sergeant Jackson.

Q. Have you ever been abused by civilians in Brownsville?—A. No, sir.

Q. On or before August 13 did you hear any talk by any men of the Twenty-fifth Infantry about getting even with people of Brownsville for their conduct to colored soldiers?—A. No, sir.

Q. Do you know of any enlisted man of your company who was absent from squad room or barracks without authority between 11 p. m. and commencement of firing?—A. No, sir.

Q. Were you present when the first roll was called?—A. Yes, sir; I was in charge of company until first sergeant came.

Q. What men can you particularly recall as being there first when the company was formed?—A. When the company was first formed Corporal Daniels, he was next below me in rank, by the third section rack being unlocked before the fourth section was. The major was downstairs and said form B Company. So Corporal Daniels had charge of men that were there first.

(Told to answer the direct question.)

A. Private Taylor, Private Holloman, Corporal Daniels.



Corpl. Edward L. Daniels, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced at Brownsville?—A. Was in bed, asleep.

Q. Where was your bed?—A. East end of the company quarters in barracks.

Q. Asleep or awake?—A. Asleep.

Q. Who was the first enlisted man that you saw after you awoke?—A. They were in confusion; I did not notice particularly.

Q. When you got out to the company who was the senior non-commissioned officer there?—A. I was the first noncommissioned officer downstairs there, and so I formed what men were there.

Q. Who can you particularly recall as being present when you first formed the company?—A. Private Cook; I remember speaking to him to form the line on the right.

Q. Was this before the shooting stopt or after?—A. The shooting was going on then.

Q. Did citizens of Brownsville ever abuse you?—A. No, sir; I never had any trouble since I have been in the Army with anybody.

Q. Were you awake at 11 p. m. inspection of quarters?—A. No, sir.

Corpl. Wade Harris, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced at Brownsville?—A. I was in my bed, asleep, sir. Was in quarters in bed, asleep.

Q. Who was the first enlisted man that you saw after you awoke?—A. The first enlisted man that I seen was Musician Odon, who was sounding call to arms.

Q. Have you ever been abused by civilians in Brownsville?—A. No, sir; I never went out but once.

Q. Ever hear of men tell about being abused in Brownsville?—A. I have heard talk of several instances that happened with soldiers.

Q. Ever hear any of these men say they were going to get even with persons in Brownsville?—A. No, sir; never had any personal conversation with any of them.

Q. When did you first see Sergeant Jackson?—A. First saw him after I proceeded downstairs and came back up.

Q. Shooting going on or had it stopt?—A. Shooting had ceased at that time. He was trying to unlock the second section rack.

Corpl. Ray Burdette, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting at Brownsville commenced?—A. I was at Brownsville.

Q. What part of Brownsville were you in?—A. I was at the guardhouse on guard.

Q. On post at that time?—A. No, sir; corporal of the guard.

Q. Were you on duty at that time?—A. No, sir; I was asleep.

Q. When you first woke up where was Sergeant Reid?—A. He was outside.

Q. Was your relief present when you woke up?—A. Yes, sir.

Q. How many privates marched on that day at Fort Brown?—A. I disremember how many it was.

Q. How many posts were there that day?—A. There were three posts.

Q. When was your relief on post?—A. My relief was on post from 7 to 9.

Q. What did you do when you woke up?—A. When I woke I fell in with the guard.

Q. Relief all present?—A. Yes, sir.

Q. How many privates fell in when the guard reported?—A. All fell in except those on post; don't remember exactly how many guards.

Q. Sergeant Reid was sergeant of the guard?—A. Yes, sir.

Q. What other noncommissioned officers were on guard?—A. Corporal Wheeler, Company D; Corporal Franklin, Company B.

Q. Were you awake at 11 o'clock?—A. At 11 o'clock; yes, sir.

Q. Your relief present then?—A. Yes, sir.

Q. How many privates were in guardhouse when you came in?—A. I disremember just now how many.

Corpl. Wade H. Watlington, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. In quarters in my bed, sir.

Q. Awake or asleep?—A. Asleep, sir.

Q. Who was the first enlisted man that you saw after you awoke?—A. Q. M. Sergt. Walker McCurdy.

Q. Did you get down to the company before the firing ceased?—A. Yes, sir.

Q. Anybody in Brownsville ever abuse you?—A. No, sir.

Q. Ever see any colored men abused in Brownsville?—A. No, sir.

Q. Were you awake at 11 o'clock inspection?—A. No, sir.

Q. Any men ever tell you that they had been abused in Brownsville?—A. No, sir.

Q. Never heard that men were abused in Brownsville?—A. Yes, sir; I have heard it said.

Q. Was it general talk in the company?—A. No, sir; it was not general talk. I have heard two or three speak of it.

Q. Did you ever hear any of these people say they would get even with the people of Brownsville?—A. No, sir.

Corpl. Anthony Franklin, Company B, Twenty-fifth Infantry.

Q. On August 13, 1906, on what duty were you?—A. On guard, sir.

Q. Corporal of the guard?—A. Yes, sir.

Q. At what hour was your relief on post?—A. I do not know, sir. My relief wasn't on during the trouble. Corporal Wheeler, I think, of B Company.

Q. Did your relief go on post at 1 o'clock?—A. No, sir; at 2 o'clock.



Q. Where were you when the shooting commenced on August 13?—A. I was at the guardhouse.

Q. Awake or asleep?—A. I was lying there; just had dozed off asleep.

Q. When you woke up was your relief all present, or were any of them absent?—A. I think they were all present, sir. The sergeant of the guard had the guard to form, and they were all present except those on post. One relief was on post.

Q. How did he have them formed?—A. Had them formed in double-rank formation right in front of guardhouse.

Q. How many files were there in that guard when he formed it?—A. I don't know, sir; I never paid strict attention to them.

Q. Didn't you notice whether your relief was present or absent?—A. No, sir; not particular. Didn't form by relief, sir; sergeant of the guard formed all reliefs together.

Q. How long did they stay in double rank?—A. In double-rank formation—about fifteen or twenty minutes.

Q. Then what did he do with them?—A. Then he had us form in skirmish line in front of the guardhouse lying down.

Q. Did anybody go to the guardhouse after you awoke?—A. No, sir.

Q. Didn't see anybody approach the guardhouse?—A. No, sir.

Q. When did you first see Sergeant Reid, sergeant of the guard?—A. Just as soon as I was up; as soon as the first one or two shots were fired.

Q. Where was he when you first saw him?—A. Standing up in the office; the sergeant of the guard's room.

Q. Was there much firing after you saw him?—A. Yes, sir; after I woke up; most firing after I woke up.

First Sergt. Israel Harris, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced at Brownsville?—A. I was upstairs in my bunk, at Fort Brown.

Q. In the barracks?—A. Yes, sir; in the barracks.

Q. Awake or asleep?—A. I was asleep.

Q. Who was the first enlisted man you saw after you awoke?—A. Sergeant Adams.

Q. Was shooting going on when you awoke?—A. Yes, sir.

Q. When was the company formed?—A. A little while after I awoke.

Q. Who formed it?—A. The first sergeant, Sergt. Jacob Frazier.

Q. Was shooting going on when the company was being formed?—A. Yes, sir; shooting was going on then.

Q. Can you remember any particular men of the company that you saw before the firing ceased?—A. Yes, sir; I can remember lots; I remember Sergeant Adams—he was the first man I saw—and Private Jackson, John A.

Q. Do you remember anybody else by name that you can remember to have seen?—A. No, sir; I don't. It was dark in quarters.

Q. Who called the roll of the company?—A. The first sergeant.

Q. Were you ever abused by civilians in Brownsville?—A. No, sir; I was not.

Q. Ever hear men of your company say they had been abused in Brownsville?—A. No, sir; never heard any men of my company.

Q. Where were you at 11 o'clock inspection of barracks?—A. I was in quarters, sir.

Q. Awake or asleep?—A. I was asleep.

Q. Since the trouble on August 13 have you heard anything that would indicate who was engaged in the shooting?—A. No, sir; I haven't heard of any.

Sergt. George Derrett, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I was down at Fort Sill.

Thomas J. Green, quartermaster-sergeant, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I was in bed, sir; in the quarters.

Q. Awake or asleep?—A. I was awake.

Q. How many shots did you hear at first—one or a lot?—A. I first heard one shot.

Q. Followed by what?—A. Followed by two or three; from that to volleys.

Q. How many would you think there were in the volleys?—A. I couldn't say; I don't think there was a great many men; not over ten or twelve men, I would suppose.

Q. Who were the first enlisted men that you saw after the shooting commenced?—A. The artificer of my company, George W. Newton; he sleeps next room to me.

Q. See any others?—A. Corporal Thornton.

Q. Who formed the company?—A. The first sergeant.

Q. Were you down on company parade before the first sergeant?—A. No, sir.

Q. Were you one of the first down?—A. There were a good many came down—I was sleeping downstairs—except the corporal and artificer.

Q. When you got there can you remember any of the men in ranks or ready to fall in?—A. No, sir; it was dark, and I couldn't tell who they were.

Q. When you got there were you the senior noncommissioned officer?—A. No, sir; the first sergeant was there and two other sergeants senior to myself.

Q. Before August 13 had you been abused in Brownsville?—A. No, sir.

Q. Before that date had you heard men talk about being abused in Brownsville?—A. I heard of one man being hit in the head with a six-shooter.

Q. Did he tell you?—A. No, sir.

Q. Heard of nothing else?—A. One being pushed in the Rio Grande River. Neither one of those men told me. Have heard it talked around among the other men.

Q. Do you know of any enlisted man of your company who was absent from squad room or barracks without authority between 11

p. m. and commencement of firing?—A. Only two; they were on pass—Charles Hawkins, corporal at that time, and Walter Johnson, private.

Sergt. Jerry E. Reeves, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13, when shooting commenced at Brownsville?—A. In quarters, sir; in bed.

Q. Were your quarters in the barracks?—A. Yes, sir.

Q. Awake or asleep?—A. I was asleep.

Q. Who was the first enlisted man you saw after you awoke?—A. The first I saw after I awoke was the man next to me, Private Willis.

Q. Was the shooting still going on then?—A. Yes, sir; I was waked by the shooting and the noise of the men in the quarters.

Q. Many awake when you awoke?—A. There had been a great deal of excitement; shooting was going on pretty freely.

Q. Who else did you see besides Willis while the shooting was still going on?—A. Being dark, I don't know just who I saw; no, sir.

Q. Have you ever been abused in Brownsville?—A. No, sir.

Q. Any of your company ever tell you they had been abused?—A. No, sir.

Q. Ever hear any talk about men being abused in Brownsville?—A. No, sir; more than what I heard of the abuse of some of the men of the command.

Q. Were you awake at 11 o'clock inspection of the company?—A. Yes, sir.

Q. Do you know of any men of the company that were absent between 11 p. m. inspection and commencement of the firing?—A. No, sir; I do not.

Q. Have you ever heard anything that would indicate who the men were that were engaged in this firing?—A. No, sir.

Sergt. Walter Adams, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced at Brownsville?—A. Why, I was in bed—had just got in bed, sir. Had been to the toilet.

Q. Bed in barracks?—A. Yes, sir; in my barracks. I was in bed early that night, about half past 7, on 13th.

Q. When did you wake up?—A. I woke up about, I guess, five minutes to 12, and I wanted to go down to the closet; I went and got back—why, it was somewhere close to 12 o'clock; was only gone a minute or two, when I got upstairs, something near 12 o'clock.

Q. Did you see anybody awake in the barracks?—A. No, sir; none that I know of awake; might have been some awake; dark; no one said anything; I just creeped up.

Q. Do you know of any enlisted man of your company who was absent from squad room or barracks without authority between 11 p. m. and commencement of firing?—A. No, sir; I do not.

Q. Did you hear the first shot?—A. Yes, sir; I was wide awake; didn't have time to go to sleep. When the first shot was fired I got up easily; didn't make any noise, because I was scared; didn't know what had happened. Several shots followed it.

Q. What did you hear first—a single shot, or more?—A. The first I heard was a single shot.

Q. What came after that?—A. In probably several seconds other two shots fired; by that time others were up, too.

Q. How heavy was the firing?—A. It seemed to be a pretty good gun that was fired; I don't know what kind it was; I can't say—was greatly excited.

Q. Sound as if a whole squad was firing at any time?—A. It was so many shots firing I couldn't tell you.

Q. Who was the next man to wake up?—A. I couldn't even tell that.

Q. Who spoke to you?—A. Didn't anyone speak to me.

Q. Did you speak to anybody?—A. Yes, sir; I spoke to the whole section, but I spoke low.

Q. Who was present when the firing first commenced that you can remember?—A. Sergeant Harris; he was present, right across from me.

Q. Anybody else you can remember?—A. Well, I don't know who the men were on the other side of me; I don't remember them.

Q. Were you ever abused by civilians in Brownsville?—A. No, sir; I didn't visit the town but very seldom.

Q. Any man of your company tell you they had been abused?—A. No, sir.

Q. Ever talk with men about trouble that soldiers were having in Brownsville?—A. I haven't had any talk with anyone about it, because nobody wanted to tell me anything about it except they didn't know. They hadn't had any.

Q. How long were you down there before this happened?—A. I paid no attention to the time. Don't know just exactly.

Q. Do you know of any enlisted man of your company who was absent from squad room or barracks without authority between 11 p. m. and commencement of firing?—A. No, sir; I do not.

Q. When you went to the toilet room did you see anybody?—A. I didn't see the man, but it was the scavenger and his cart. I didn't see the man, but I heard the cart going along, and I went upstairs. At that time there was no trouble that I know of.

Corpl. Temple Thornton, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced at Brownsville?—A. In the quarters.

Q. Asleep or awake?—A. I was asleep.

Q. Who was the first enlisted man that you saw after you awoke?—A. Artificer Newton; he woke me up; me and him were sleeping in the same squad room, and he woke me up.

Q. Was shooting going on then?—A. Yes, sir; shooting was going on when I first woke up.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Any men ever tell you they had been abused there?—A. I heard of a man being knocked in the head with a six-shooter.

Q. Did he tell you?—A. No, sir; he did not tell me himself; just heard it talked around the soldiers; and of someone being pushed overboard from the pier as you go over into Mexico.

Q. Do you know of any enlisted man of your company who was

absent from squad room or barracks without authority between 11 p. m. and commencement of firing?—A. No, sir; I do not.

Corpl. Samuel Wheeler, Company D, Twenty-fifth Infantry.

Q. On what duty were you on August 13, 1906?—A. On guard, sir.

Q. When the firing commenced where was your relief—on post?—A. Yes, sir.

Q. Were you on duty at this time in the guardhouse?—A. Yes, sir.

Q. That is, you were in the guardhouse when it commenced?—A. Yes, sir.

Q. Who else was in the guardhouse?—A. I do not know; but there was a few other members of the guard. The two reliefs were in there.

Q. Where was Sergeant Reid?—A. Sergeant Reid was laying on the bunk there, where the noncommissioned officers lay, at the right-hand side of the door.

Q. How long had he been on the bunk?—A. I do not know, sir; I couldn't tell; didn't notice when he laid there.

Q. When did your relief go on post?—A. Half past 10, sir.

Q. Sergeant Reid been absent from the guardhouse after half past 10?—A. Not to my knowledge, sir; don't remember him being away.

Q. Any privates of the guard leave the guardhouse while your relief was on post?—A. No, sir; because they were all pretty busy patrolling—one patrol right after the other, from 8 o'clock up and even at that time.

Q. Any patrol sent out while your relief was on post?—A. Yes, sir.

Q. Who made them?—A. The other two corporals; both belonged to B Company. They made the next two patrols.

Q. Was that while your relief was on post?—A. Yes, sir.

Q. Did Sergeant Reid make up a patrol?—A. I do not think he did. I mean in this time.

Q. During the time that your relief was on post did any member of the guard leave the guardhouse for any purpose except to make patrols?—A. No, sir.

Q. Before Sergeant Reid got on his bunk what was he doing?—A. I don't know, sir.

Q. Did you see him?—A. Yes, sir.

Q. Was he in the guardhouse?—A. Yes, sir; when I saw him on the bunk he was in the guardhouse.

Q. Was he in the guardhouse before he got on his bunk?—A. Yes, sir.

Q. Did you stay in the same room with him?—A. Yes, sir.

Q. Did he leave that room while you were on duty, while your relief was on post?—A. Yes, sir.

Q. For what purpose?—A. To see what was the matter with No. 2 when he called for the guard.

Q. Did he leave the guardhouse before this time?—A. No, sir.

Q. Where was Sergeant Reid when the firing commenced?—A. In the guardhouse.

Q. Is the guard room where the privates of the guard sleep?—A. Where the noncommissioned officers sleep.

Corpl. Winter Washington, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced in Brownsville?—A. I was at Fort Brownsville, sir.

Q. Where?—A. In quarters in D Company's barracks.

Q. Awake or asleep?—A. I was asleep.

Q. Who was the first enlisted man you saw after you awoke?—A. The first enlisted man—I can't remember, sir.

Q. Were you illtreated by anybody in Brownsville?—A. No, sir.

Q. What time did you go to sleep that night?—A. About 9 o'clock.

Q. When did you first wake up?—A. I woke up when I heard the shooting.

Q. Not before?—A. No, sir; the shooting woke me up.

Q. Any men ever tell you that they had been abused in Brownsville?—A. No, sir; no one told me personally about it.

Corpl. James H. Ballard, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. Asleep in company orderly room.

Q. Was the shooting going on when you awoke?—A. Yes, sir.

Q. Who was the first enlisted man that you saw?—A. The first enlisted man I saw after waking?—I ran up-stairs and saw a squad at the gun racks asking for racks to be opened. Said call to arms was going, and the first three men I saw—Corporal Powell, noncommissioned officer in charge of quarters, and Private Wickersham; they were standing at the rack. The third man I just can't remember his name. It was dark, and we hadn't lit up quarters.

Q. When you saw these men was the shooting going on?—A. Yes, sir; the shooting was going on then.

Q. Had you ever been abused in Brownsville?—A. No, sir.

Q. Any men ever tell you that they had been abused in Brownsville?—A. Private Newton, Company C; I remember the night he got hit.

Q. Did he tell you about it?—A. Yes, sir; came around and then said he got hit on the street.

Q. What did he say he was going to do about it?—A. Report to his captain.

Q. Anything else?—A. No, sir; said he was going to report it to his captain.

Q. What time did you go to sleep on August 13?—A. About half past 10, sir.

Q. Wake up before the shooting commenced?—A. I was awakened by the shooting.

Private Thomas Jefferson, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville, Tex.?—A. Brownsville, Tex.; in my quarters that night.

Q. Were you in Brownsville or Fort Brown?—A. Fort Brown.

Q. Awake or asleep?—A. I was asleep.

Q. Shooting wake you up?—A. The shooting woke me up, sir.

Q. Who was the first enlisted man you saw when you awoke?—A. First enlisted man I saw was the sergeant; name, Brawner.

Q. Had you been abused by civilians in Brownsville?—A. No, sir.

Q. Any man ever tell you that he had been abused?—A. No, sir; not any man told me.

Private Joseph H. Gray, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced?—A. Brownsville, sir; in quarters.

Q. Brownsville or Fort Brown?—A. Fort Brown.

Q. Awake or asleep?—A. I was asleep, sir.

Q. When did you go to sleep?—A. Went to sleep something after 11 o'clock, sir.

Q. Anybody leave the barracks after 11 o'clock?—A. Not as I know of, sir.

Q. Anybody in Brownsville ever abuse you?—A. No, sir; nobody said anything wrong to me while I was down there.

Q. Any man tell you that he had been abused?—A. Yes, sir; I heard some say they had been mistreated.

Q. Who?—A. Private Newton was one of them. Said he was struck down there nigh the custom-house. Private Reed, Company C, claims that he was shoved off the boat that runs from Brownsville to Matamoros.

Q. What did they say they were going to do about it?—A. I never heard them say anything.

Private Edward Lee, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced?—A. The 12th I came off guard and put in for pass that day and spent it in Mexico. I got back that evening and was up around town, and afterward went down to a Mexican house, and we danced a good part of the night, I suppose about 12 o'clock, and went to bed then. The Mexican woman called my attention to a shot afterward we went to bed. I never heard any more about the affair until next morning.

Q. How many shots did you hear?—A. I was not sure that I heard any.

Q. Did you leave her house?—A. No, sir; I stayed there all night.

Q. What was this woman's name?—A. I do not know her name. The next morning I came in and was halted by a sentry, who told me that some shooting had been going on in the post.

Q. Had you ever been abused in Brownsville?—A. No, sir.

Private James Woodson, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting occurred in Brownsville?—A. Was in my quarters; in bed, sir.

Q. Asleep or awake?—A. I was asleep.

Q. Have you ever been abused in Brownsville?—A. No, sir.

Q. Any men ever tell you that they had been abused in Brownsville?—A. Yes, sir; two men of my company.

Q. Who were they?—A. Private Newton, Company C, was one of them, and Oscar Reed, private.

Q. What did they say they were going to do to the people that abused them?—A. Not anything, either of them, to me.

Q. What time did you go to sleep that night?—A. I do not remember just what time. I know I came in early that night and was asleep before 11 o'clock; I was asleep before check.

Private Mark Gorman, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced in Brownsville?—A. In bed.

Q. Where was the bed?—A. Upstairs.

Q. In quarters?—A. Yes, sir.

Q. Asleep or awake?—A. I was asleep; they woke me up.

Q. Anybody in Brownsville ever abuse you?—A. No, sir.

Q. Were you asleep at 11 o'clock inspection?—A. Yes, sir; I guess I was; I didn't know when they came thru.

Private George Johnson, Company C, Twenty-fifth Infantry.

Q. How long have you been in the service?—A. I have been about seven years.

Q. Where were you on August 13 when shooting commenced?—A. I was down to the Government corral, sir. Down at the stables.

Q. Did you hear the shooting?—A. I never heard anything about it until the corral boss came in and woke us up.

Q. What time?—A. I do not know exactly; must be between 11 and 12 or 12 to 1; I couldn't say.

Q. Did you hear the alarm?—A. No, sir; never heard anything about it until he came over and woke us up.

Q. Anybody in Brownsville ever abuse you?—A. No, sir; I was down town every day high as three times a day. Never had any trouble at any time I was there. I was there three times a day; I was driving the officers' rig.

Q. What time did you go to bed in the corral?—A. I am not certain; I think it must have been about 8 o'clock. That is the time I generally go to bed; always have to be up a quarter to half past 4 and 5; have to do all the feeding.

Q. Were you in Brownsville that night?—A. No, sir.

Private Joseph Rogers, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced?—A. I was at the guardhouse.

Q. Asleep or awake?—A. Asleep, sir.

Q. Who did you first see when you awoke?—A. The sergeant of the guard.

Q. Name him.—A. Sergeant Reid.

Q. Was the shooting still going on?—A. Yes, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Any man ever tell you that he had been abused in Brownsville?—A. Yes, sir.

Q. Who?—A. A couple of the men that is in the guardhouse now, Oscar Reed and James Newton.

Private Lewis J. Baker, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced in Brownsville?—A. I was asleep in quarters. I was woke up by call to arms; I fell in line waiting for orders.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Anybody ever tell you that he had been abused in Brownsville?—A. Yes, sir; Private Newton and Private Reed.

Q. Did they tell you what they were going to do about it?—A. No, sir.

Cook George Grier, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I was in bed.

Q. Where was your bed?—A. In my bed on back porch of barracks.

Q. Were you asleep or awake?—A. I was asleep.

Q. Who was the first enlisted man that you saw when you awoke?—A. The first one I saw was the sentry; he was shooting. Just as I woke up I lookt out and saw the sentry shooting; seen the blazes from his gun.

Q. Who was the sentry?—A. I do not know his name.

Q. Which way was his gun pointed?—A. His gun was pointed up.

Q. Anybody in Brownsville ever abuse you?—A. No, sir.

Q. Any man ever tell you that he had been abused in Brownsville?—A. Well, we had a fellow in our company—Newton.

Q. Did they tell you about it?—A. Yes, sir; I was in the guardhouse when they were telling it.

Q. Was he excited and angry?—A. No, sir; he didn't seem to be excited.

Q. What did he say he was going to do about it?—A. He didn't say.

Private Erasmus T. Dabbs, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced at Brownsville?—A. On August 13 I was in Brownsville.

Q. What part of Brownsville?—A. I was in the fort; at Fort Brown.

Q. Whereabouts in Fort Brown?—A. I can't just exactly describe the post.

Q. Where were you in the fort; what part of the fort?—A. Upstairs in quarters.

Q. Awake or asleep?—A. I was asleep.

Q. When did you go to sleep?—A. I went to bed about 10 o'clock.

Q. Were you awake at 11 o'clock inspection?—A. No, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Anybody tell you that they had been abused in Brownsville?—
A. No, sir.

Private James T. Harden, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced in Brownsville?—A. I was at Lieutenant Higgins' quarters.

Q. Awake or asleep?—A. Asleep, sir.

Q. Who did you first see when you awoke?—A. Artificer Rudy, next morning.

Q. Anybody in Brownsville ever abuse you?—A. No, sir.

Private James Sinkler, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I was at Fort Brown.

Q. What part of Fort Brown?—A. In my quarters in bed.

Q. Awake or asleep?—A. Asleep when it commenced.

Q. When did you go to sleep?—A. I went to sleep about 9 o'clock, I guess. I went to bed early.

Q. Awake when the 11 o'clock inspection was made?—A. Yes, sir.

Q. Did you see anybody leave the barracks after inspection?—A. No, sir.

Q. Anybody in Brownsville ever abuse you?—A. No, sir.

Q. Anybody ever tell you that they had been abused in Brownsville?—A. Yes, sir; I heard men speak about it.

Q. Who told you that they were abused?—A. Private Newton, of Company C.

Q. Who else told you?—A. Private Reed.

Q. Anybody else?—A. No, sir.

Private Clifford I. Adair, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. In my bunk in quarters.

Q. Awake or asleep?—A. Asleep, sir.

Q. When did you go to sleep?—A. I can't remember exactly the time because we didn't have any clock there.

Q. Were you awake at 11 o'clock inspection?—A. Yes, sir.

Q. Did you see anybody leave the barracks after 11 o'clock before the shooting commenced?—A. No, sir.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Ever have any trouble with anybody at all?—A. Only trouble I had I bought a pen from Mexico and it was taken away from me—a writing pen. I asked to pay duty on it, and he wouldn't let me pay duty on it. Said he was going to report to my company commander and asked for my name and what company I belonged to, and I told him.

Q. Did he make any insulting remarks to you?—A. Yes, sir; he said, "You damned niggers are too smart around here."

Q. What was his name?—A. I do not know, sir.

Q. Any other trouble?—A. No, sir.

Q. Any men ever tell you that they had been abused or had trouble?—A. No, sir.

Q. Value of this pen taken away from you?—A. I paid 50 cents gold for it.

Private George Gray, Company C, Twenty-fifth Infantry.

Q. Where were you August 13 when shooting commenced at Brownsville?—A. I was sleeping on the back porch toward the officers' line.

Q. What back porch?—A. Front porch of company barracks. Was asleep when shooting commenced.

Q. Shooting wake you up?—A. Yes, sir; shooting and the trumpet blowing.

Q. Who was the first man you saw when you woke up?—A. I and another man was sleeping—he was just before me—Rudy, of C Company—he was sleeping on the front porch too.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Any man ever tell you that he had been abused there?—A. No, sir; personally. One man got hit.

Q. Did they ever tell you?—A. No; not personally.

Private Edward Johnson, Company C, Twenty-fifth Infantry.

Q. Where were you when the shooting commenced?—A. I was on pass that night out in town. I am married and had a wife and little baby; at home that night. On orderly pass.

Q. Did you hear the shooting?—A. Yes, sir.

Q. Where did you stay during the shooting?—A. I stayed there with my wife and child.

Q. Did you see any soldier that night while you were in Brownsville?—A. No, sir.

Q. After the shooting?—A. No, sir.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Anybody ever abuse your wife in Brownsville?—A. No, sir.

Private August Williams, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. In Brownsville, Tex.

Q. What part of Brownsville?—A. I was in the post; in quarters.

Q. Awake or asleep?—A. Asleep, sir.

Q. Anybody in Brownsville ever abuse you?—A. No, sir; nobody ever abused me.

Q. Who, if anybody, told you that they had been abused?—A. Nobody that I remember.

Artificer Charles A. Rudy, Company C, Twenty-fifth Infantry.

Q. Where were you when shooting commenced on August 13?—A. I was sleeping at Brownsville, Tex. Sleeping on the front porch of the quarters upstairs. As near as I can say, 12 o'clock—as I can think. I was awakened by a shot in the rear of the quarters toward Brownsville in the street. When it went off I jumped up out of my bed and started in the quarters; had to go down into the quarters.

Q. Who was the first man that you saw?—A. Private George Gray; he was sleeping out on porch with me.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Any man ever tell you that he had been abused in Brownsville?—A. No man ever told me personally.

Private John Kirkpatrick, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced in Brownsville?—A. In hospital, sir; sick.

Q. Did you leave the hospital after the shooting commenced?—

A. No, sir; didn't leave at all.

Q. Were you awake or asleep when the shooting commenced?—

A. I was asleep.

Q. How many men were in the hospital with you?—A. Private Nolan, of the Hospital Corps, and another young man—the dispensary man.

Q. What I wanted was how many men were in the hospital of the Twenty-fifth Infantry?—A. Myself. Harden, the man's orderly; don't know his name. Three.

Q. Did any of them leave the ward when the shooting commenced?—A. Not as I know of, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Private Frank J. Lipscomb, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I was asleep in quarters.

Q. When did you go to sleep?—A. About 9 o'clock, as near as I can remember.

Q. Were you awake at 11 o'clock check?—A. No, sir.

Q. Anybody in Brownsville ever abuse you?—A. No, sir; never abused me at all. Myself and another fellow, Newton, were going down the sidewalk one night and a fellow knocked him in the head.

Q. At night, was it?—A. Yes, sir.

Q. What had Newton done?—A. Not anything that I know of.

Q. Who was on the sidewalk?—A. Some ladies on the sidewalk at the time. I don't know who they were.

Q. Did they take up all the sidewalk?—A. No, sir.

Q. Where did Newton go?—A. He went right straight down the street, and I turned the corner and went down the other street.

Q. Did you see Newton when he past these ladies?—A. Yes, sir.

Q. Where was he when he past them, on or off the sidewalk?—A. He was on the sidewalk: next to the fence.

Q. Did he do anything to them?—A. No, sir.

Q. Did he touch them?—A. No, sir; I do not think he did.

Q. Did he say anything to them?—A. No, sir.

Q. What was done to Newton?—A. He was knocked down by a man standing there with the ladies.

Q. What did the man say to him?—A. I never heard him say anything.

Q. Did Newton get up again?—A. Yes, sir; he got up.

Q. What did he do?—A. Not anything.

Q. Where did he go?—A. He went on down the street and I

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turned the corner. After I turned the corner I did not see him any more until we got to the quarters.

Q. Did he go toward town or toward the barracks after he was hit?—A. He went on down town from the barracks.

Q. Did he appear to be hurt much?—A. No, sir; he didn't appear to be.

Q. Did he and you ever talk of the affair again?—A. No, sir. When the captain asked us about it.

Q. Anybody else ever tell you that they had been abused?—A. No, sir; nobody else ever told me.

Q. Did the man that knocked Newton down say anything to either of you?—A. No, sir; he didn't say anything to me.

Q. Did he say anything to either of you?—A. Not that I know of.

Q. How far away were you when Newton was knocked down, from Newton?—A. I do not know exactly; about two or three paces, I guess.

Q. Did you stay there until Newton got up and went away?—A. No, sir.

Q. What did you do?—A. I just went around the corner.

Private West Logan, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. In the quarters, asleep, sir.

Q. Did you wake up when the shooting was going on?—A. Yes, sir.

Q. Anybody in Brownsville ever abuse you?—A. No, sir.

Q. Did any man ever tell you that he had been abused in Brownsville?—A. Yes, sir; I heard some of the boys say so.

Q. Who were the men?—A. Private Newton, who got hit down there.

Q. Any other man besides Newton?—A. No, sir.

Q. When did you go to sleep that night?—A. I went to sleep after lights were out; 9 o'clock, I suppose.

Q. Were you awake at 11 o'clock inspection?—A. No, sir.

Private John Streater, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced in Brownsville?—A. I was in the corral at Fort Brown. Working in the quartermaster corral, sir.

Q. Awake or asleep?—A. Asleep.

Q. Did you hear the shooting?—A. No, sir; didn't hear the shooting.

Q. Anybody in Brownsville ever abuse you?—A. No, sir.

Q. Any man ever tell you that he had been abused in Brownsville?—A. I heard that one was shoved off the street or got struck.

Q. Who?—A. Private Newton.

Private William Lewis, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. I was in Fort Brown in my bunk.

Q. Awake or asleep?—A. Asleep.

Q. Were you asleep at 11 o'clock inspection?—A. I was asleep at check.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Private Robert Turner, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced?—

A. Was over across the garrison at Lieutenant Hay's quarters at Fort Brown.

Q. Did you hear the shooting?—A. Yes, sir.

Q. Were you awake or asleep when the shooting commenced?—A. I was asleep when it first commenced.

Q. Did anybody in Brownsville ever abuse you?—A. No, sir.

Q. Did anybody ever tell you that they had been abused in Brownsville?—A. Yes, sir; one was Private—don't remember his name.

Private John T. Harkins, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. I was asleep in bed in quarters.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Corpl. Preston Washington, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced in Brownsville?—A. In quarters in my bunk, sir.

Q. Awake or asleep?—A. Asleep.

Q. Were you awake at 11 o'clock inspection check?—A. No, sir.

Q. Who did you first see when you woke up, corporal?—A. I could not tell, for there was no light in the quarters.

Q. Who was the first you recognized?—A. Corporal Madison.

Q. Did you see Sergeant Brawner?—A. I saw Sergeant Brawner when shooting was about all over.

Q. Where was he then?—A. He was coming up steps.

Q. He was coming into the barracks was he?—A. He was coming up steps.

Q. Anybody in Brownsville ever abuse you?—A. No, sir.

Q. Any men ever tell you that they had been abused in Brownsville?—A. No, sir; none told me anything.

Q. Ever hear the men talk about being abused?—A. Never heard them say anything at all.

Private Thomas L. Mosley, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced at Brownsville?—A. At Brownsville, sir.

Q. On what street in Brownsville?—A. In my quarters; in my bed, sir.

Q. Then you were in Fort Brown?—A. Yes, sir; Fort Brown.

Q. Was the shooting going on when you awoke?—A. Yes, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Any men ever tell you that they had been abused in Brownsville?—A. No, sir.

Q. Were you awake at 11 o'clock inspection check?—A. I don't know exactly what time it was; I was awake when inspection was made.

Q. How long did you stay awake?—A. Was up all night, sir.

Q. You were up all night?—A. Yes, sir; went on guard after check.

Q. What time did they make check roll call?—A. I don't know, sir; never saw any time.

Q. Do you know that you have to be in your bunk at 11 o'clock?—A. Yes, sir.

Q. Do you know that there is inspection at 11 o'clock?—A. I do not know whether it was 11 or after. It was after shooting took place.

Q. How long have you been in the service?—A. About seven years, sir.

Q. You did not know that there was inspection at 11 o'clock then?—A. I did not know what time; whether it was 11 or after or before then.

Q. Who was the first man you saw after you woke up?—A. I do not know, sir; all were getting up when I woke up; shooting was going on.

Private James Perry, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced?—A. I was at Fort Brown, asleep, sir; in my bed, sir, asleep in quarters.

Q. Were you awake at 11 o'clock inspection check roll call?—A. I was awake after the shooting taken place; was asleep at check.

Q. Anybody ever abuse you in Brownsville?—A. No, sir; I didn't have any trouble.

Q. Any man ever tell you that he had been abused in Brownsville?—A. No, sir; I did not have any talk with anybody about it.

Private William Mapp, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I was in my bunk asleep, sir.

Q. In company quarters?—A. Yes, sir.

Q. When did you go to sleep?—A. I went to bed about half past 9, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir; they did not.

Q. Any man tell you that he had been abused in Brownsville?—A. No, sir.

Private George W. Harris, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced at Brownsville?—A. I was in quarters in my bunk, sir.

Q. Asleep or awake?—A. Asleep.

Q. When did you go to sleep?—A. Went to bed about 10 minutes past 8 that night.

Q. Were you awake at 11 o'clock inspection check?—A. No, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Any man ever tell you that they had been abused in Brownsville?—A. One man came there one night with a hole knocked in his head and said he was hit over the head with a revolver.

Q. Who was the man?—A. Private Newton.

Musician Walter Banks, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced?—A. I was in bed, sir; in quarters.

Q. Anybody ever abuse you in Brownsville?—A. No, sir; I never visited Brownsville more than once while I was down there.

Q. Any man ever tell you that he was abused?—A. Yes, sir; I seen several men; two men; one man out of my company got knocked in the head by some of the citizens.

Q. Name him.—A. Private Newton; he is at San Antonio.

Q. Who else?—A. There was one man with him, Private Lipscomb.

Q. Anybody else tell you about being abused?—A. We had one man that was thrown in the river down there.

Q. Who was it?—A. Private Reed.

Q. Anybody else?—A. No, sir; not that I know of.

Private Andrew Mitchell, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. I was on guard duty at the guardhouse. I was waken by the sergeant of the guard. He said there was shooting on the outside.

Q. Who was sergeant of the guard?—A. Sergeant Reid, B Company.

Q. When did you come off post?—A. I came off post at 10 o'clock.

Q. Did you leave the guardhouse after 10 o'clock before shooting commenced?—A. No, sir.

Q. Did you go to sleep right after 10 o'clock?—A. Yes, sir.

Q. When you woke up did you see the corporal of your relief?—A. Yes, sir.

Q. Who was it?—A. Corporal Burdette.

Q. Anybody in Brownsville ever abuse you?—A. No, sir.

Q. Did any man ever tell you that he had been abused in Brownsville?—A. One man got hit down there.

Q. Did he ever tell you?—A. No, sir; no one particularly told me they were abused.

Q. Who did you ever hear of being abused?—A. Private Newton, C Company.

Q. Anybody else?—A. No, sir.

Private William McGuire, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced at Brownsville?—A. In quarters asleep, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Did any man ever tell you that he had been abused in Brownsville?—A. Private Newton, Company C, was struck with a six-shooter on the street.

Q. Anybody else?—A. No, sir; only Private Reed was shoved overboard between there and Matamoros.

Private James E. Armstrong, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced?—

A. I was in the quarters, sir; in the bunk.

Q. Awake or asleep?—A. I was asleep when it commenced; was awakened by the shooting.

Q. Were you ever abused by anybody in Brownsville?—A. No, sir; I had not been; didn't go about much.

Q. Did any man ever tell you that he had been abused?—A. No, sir; they didn't just tell me, though I knew of some that had been.

Q. Name them.—A. Private Newton, of Company C; Private Reed, of Company C.

Q. That is all the men you know about, is it?—A. Yes, sir.

Private Leartis Webb, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. In bed, asleep; bed was near the door upstairs; in the quarters.

Q. Awake or asleep?—A. Asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Anybody ever tell you that they had been abused in Brownsville?—A. No, sir.

Private Calvin Smith, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—

A. I was in my bed, sir; in quarters.

Q. Awake or asleep?—A. I was asleep; woke up by noise of shooting.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Private John Smith, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced at Brownsville?—A. I was in confinement.

Private Alphonso Holland, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced at Brownsville?—A. In bed asleep, sir; in quarters.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Any man ever tell you that he was abused in Brownsville?—A. I heard some of the soldiers talking; wasn't talking direct to me. I can't remember the names. I am a new man in the company; can not remember the two men, but there were two.

Private Henry T. W. Brown, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced?—A. Fort Brown, Tex.; in barracks, asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Any man ever tell you that he had been abused in Brownsville?—A. Once. His name is Newton, belonged to C Company. Man by the name of Reed belonged to C Company. That is all.

Q. Ever hear of anybody else being abused there from any company?—A. No, sir.

Cook Robert Williams, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—

A. In my room, sir: asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Any man ever tell you he had been abused in Brownsville?—

A. No, sir.

Corpl. Albert Roland, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—

A. I was in my quarters.

Q. Awake or asleep?—A. I was asleep at the beginning of it.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Did you ever hear anybody say that he had been abused in Brownsville?—A. I heard one man say: I can not think of his name; belongs to C Company; the man that said that he got hit.

Q. Did you ever go into a saloon in Brownsville?—A. Only one; a discharged soldier had one there: I went into it.

Q. Was that a private saloon for the Twenty-fifth Infantry soldiers?—A. Yes: I think it was.

Q. Never went into a city saloon?—A. No, sir: never went into a city saloon.

Private Dorsie Willis, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—

A. I was in bed, sir; in quarters in garrison: Company D quarters.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Hear any rumors that men were abused in Brownsville?—A. Yes, sir.

Q. Name those that you heard were abused?—A. Private Newton, Company C.

Q. Anybody else?—A. Private Reed, also Company C.

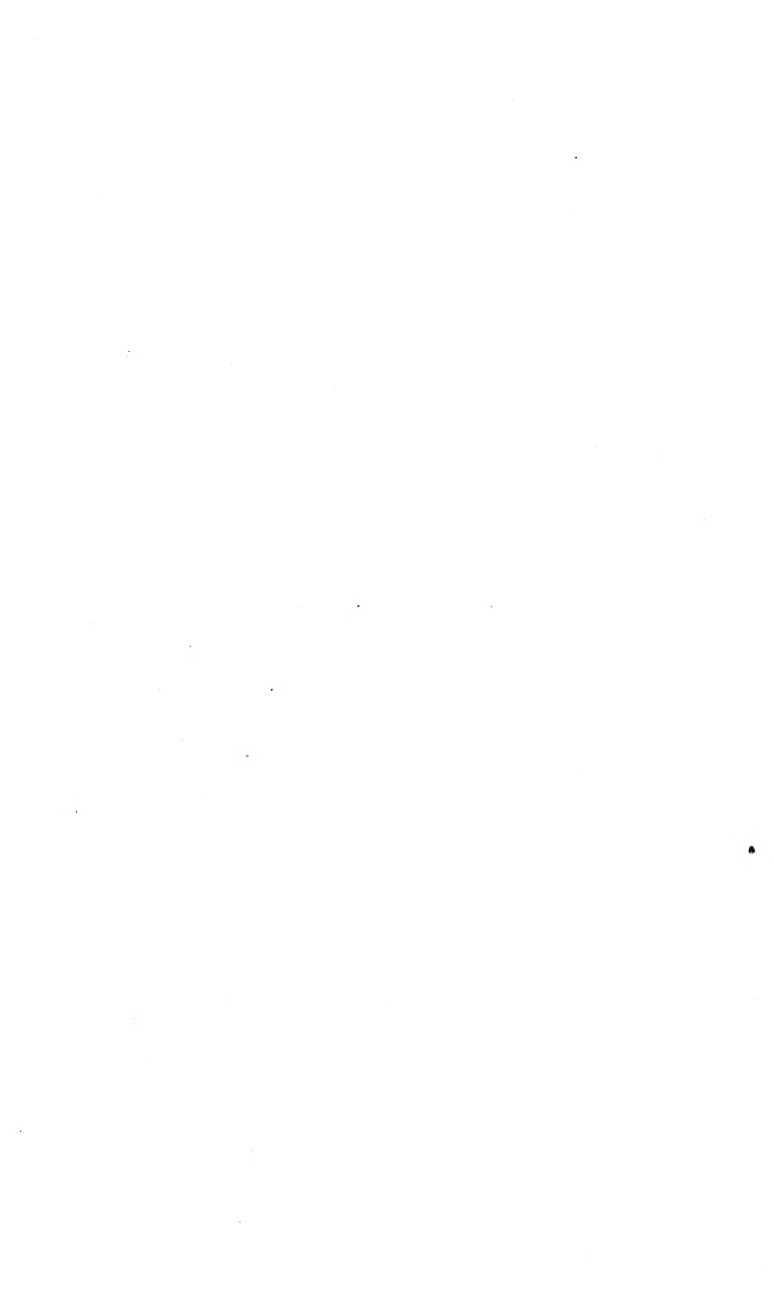
Q. Have you ever been in a city saloon in Brownsville?—A. No, sir; only the one that was run there by a discharged soldier.

Private William E. Jones, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—

A. I was in Captain Lyon's quarters, asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.



Q. Have you ever been in a city saloon in Brownsville?—A. I went in a Mexican saloon; yes, sir.

Q. That was in Brownsville, you mean?—A. Yes, sir.

Q. White people frequent that saloon?—A. No, sir.

Private Zachariah Sparks, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—

A. I was at Fort Brown, Tex.; in the quarters, asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Have you ever been in a city saloon in Brownsville?—A. No, sir.

Private Charles H. Hawkins, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—

A. I was in town on a pass.

Q. Whereabouts in town?—A. I was downtown, below the market.

Q. In a house, or where?—A. In a house; in a Mexican house.

Q. Any other soldiers there?—A. No, sir; nobody but myself.

Q. Have you ever been in a city barroom in Brownsville?—A. No, sir.

Q. Were the Mexicans friendly with the soldiers of the Twenty-fifth Infantry?—A. Yes, sir; they seemed to be very friendly—the Mexicans.

Q. Mexican women know the soldiers?—A. Yes, sir; a few of them did.

Private Elias Grant, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13, 1900, when the shooting commenced?—A. In quarters, sir.

Q. Awake or asleep?—A. Asleep.

Q. Anybody in Brownsville ever abuse you?—A. No, sir.

Q. Were you ever in a saloon or barroom in the city of Brownsville?—A. No, sir.

Private Elmer Peters, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. Fort Brown, in bed, sir; in quarters.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Were you ever in a saloon or barroom in Brownsville?—A. Yes, sir; I was in one.

Q. Who kept it?—A. I think a Mexican; a Mexican was running it.

Q. Any other people there getting drinks at the time?—A. Yes, sir; one of my friends was there.

Q. Any white people?—A. No, sir; no white people there at all at this saloon; at least I didn't see any while I was in there.

Private James Newton, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. I was in Lieutenant West's quarters, sir; asleep, sir.

Q. Have you ever been in a saloon in Brownsville?—A. Yes, sir; I have been in a couple of saloons; they were Mexican saloons. One by the depot; one by the market house.

Q. Any white people in these saloons when you were in them?—A. I do not remember seeing any. Just Mexicans.

Q. Anybody ever abuse you in Brownsville?—A. No, sir; I never had any trouble there with anyone.

Private Strowder Darnell, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. In quarters, sir.

Q. Awake or asleep?—A. I was asleep; I was wakened by the shooting.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Were you ever in a saloon in Brownsville?—A. Yes, sir.

Q. Any white people in the saloon when you were in it?—A. No, sir.

Q. Was it a Mexican saloon?—A. No, sir; it was a fellow that got discharged out of B Company that was running the saloon.

Private Sam M. Battle, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. I was on guard, sir; up to the guardhouse.

Q. Asleep or awake?—A. Asleep, sir.

Q. Who woke you up?—A. The sergeant of the guard; Sergeant Reid, of Company B, sir.

Q. Was that before the alarm sounded on the trumpet?—A. Yes, sir; he woke me up before the sound to arms, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir; never had any trouble at all, sir.

Q. Were you ever in a saloon kept by a white man?—A. No, sir.

Private Wesley Mapp, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced?—A. In the baker shop.

Q. The shooting wake you up?—A. No, sir.

Q. Were you awake when it commenced?—A. No, sir; I was not.

Q. When did you first hear about the shooting?—A. Corporal Harris, of B Company, came down and woke me up; can't tell the hour.

Q. When you woke up who did you see?—A. No one but Corporal Harris and a man that was in the shop with me, Private John Brown.

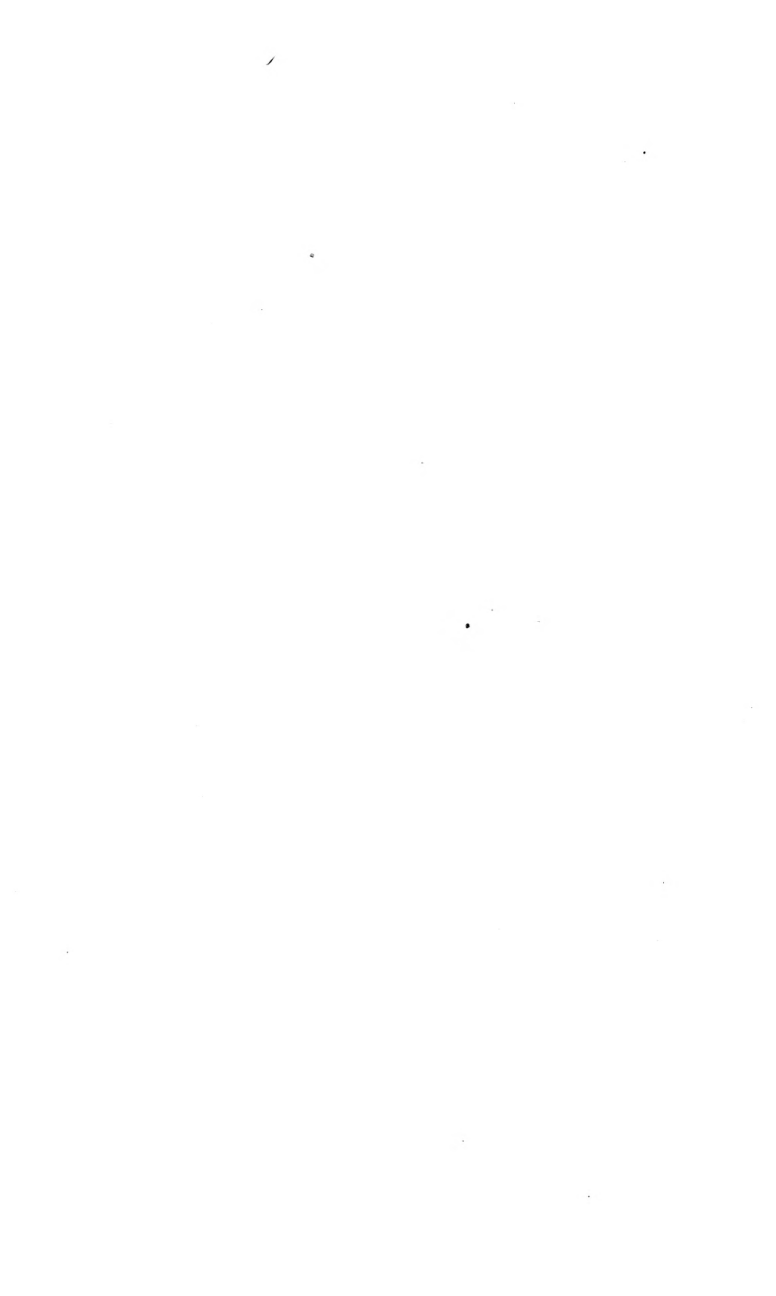
Q. Did you ever go into a saloon?—A. No, sir; only John Holoman's; colored soldier that was discharged.

Private Barney Harris, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. I was at Fort Brown, Tex.

Q. State what part of Fort Brown.—A. In the quarters asleep, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.





Q. Did you ever hear of anybody being abused in Brownsville?—
A. I heard of a little trouble that some of the soldiers had. I do not know their names.

Q. Were you ever in a saloon in Brownsville?—A. No, sir.

Private Richard Crookes, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. I was in my bunk in my barracks.

Q. Awake or asleep?—A. Asleep, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Were you ever in a barroom in Brownsville?—A. Yes, sir.

Q. Who was proprietor?—A. I do not know, sir; it was some Mexican.

Q. Ever in a white man's saloon?—A. No, sir.

Private Henry Robinson, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. In my bed, sir; in the barracks.

Q. Awake or asleep?—A. Asleep, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir; I didn't have any trouble.

Q. Were you ever in a saloon in Brownsville kept by a white man?—A. No, sir.

Private Benjamin F. Johnson, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced at Fort Brown?—A. I was on No. 1 post.

Q. When did you go on?—A. Ten o'clock.

Q. Is your post such that you can see the door of the guardhouse all the time?—A. Yes, sir; right along in front of the guardhouse.

Q. When you were posted did you see Sergeant Reid, sergeant of the guard?—A. Yes, sir; he was at the guardhouse.

Q. Did he leave the guardhouse while you were on post?—A. When the shooting commenced he was taking patrol and went out.

Q. From the time that you were posted until the shooting commenced, did Sergeant Reid leave the guardhouse?—A. No, sir; after the shooting commenced.

Q. While you were on post and before the shooting commenced, did anybody leave the guardhouse?—A. When they sent the patrol out to bring in men on post.

Q. How long before the shooting commenced did that patrol return?—A. I do not know exactly what time they left or what time the patrol came in.

Q. After you were posted and before the shooting commenced, did anybody come to the guardhouse?—A. I didn't see anyone come to the guardhouse.

Q. You heard the first shot, did you not?—A. Yes, sir.

Q. The first time how many shots were there?—A. It seemed like there were about six or seven.

Q. When the shooting first commenced how many shots did you hear?—A. About six or seven.

Q. Did you hear one shot singly to begin with?—A. No, sir; about six or seven shots.

Q. All right together?—A. Yes, sir.

Q. What did you do when you heard the first shot?—A. I gave the alarm; called for the sergeant of the guard.

Q. Who came out when you called?—A. I do not remember who it was.

Q. You don't remember who the corporal was?—A. No, sir.

Q. Do you remember that it was a corporal?—A. Yes, sir.

Q. You can't remember which corporal it was?—A. No, sir.

Q. When did you first see Sergeant Reid after you gave the alarm?—A. When the guard was turned out; he formed the guard.

Q. Who was the corporal of your relief?—A. I disremember who the corporal of my relief was.

Q. Did the officer of the day visit the guard while you were on post?—A. No, sir.

Q. What corporal posted you?—A. I disremember who the corporal of the guard was.

Q. Did you see the scavenger while you were on post No. 1?—A. There was some man came up; I do not know who he was; I called the corporal of the guard; he went on back. I do not know who he was.

Q. What corporal came when you called the corporal of the guard when the scavenger or other person came up?—A. The corporal of my relief; I disremember who he was.

Q. Who was sergeant of the guard?—A. Sergeant Reid.

Q. What corporals were on guard?—A. I do not know, sir.

Artificer George Newton, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced at Brownsville?—A. I was in my bed asleep, in quarters; in barracks.

Q. Anybody in Brownsville ever abuse you?—A. No, sir.

Q. Have you ever been in a saloon in Brownsville?—A. I went in a Mexican's place there.

Q. Ever in a white man's saloon?—A. The first night I got there I was in one, the name of Mr. Taylor, I believe; some of the Twenty-sixth fellows carried me in there and gave me a glass of beer.

Q. White men in the saloon?—A. Yes, sir. He invited us back. I never had opportunity; was a carpenter.

Q. Did they have a separate bar for colored men in the saloon?—A. Yes, sir.

Q. Did you object to that?—A. No, sir.

Q. How long have you been in the service?—A. When I complete this enlistment I will be started on my tenth year. There was nothing said about these three fellows of the Twenty-sixth taking me in and giving me a drink. The gentleman took me out to a place where he was going to open a restaurant for our boys—for colored men.

Q. Did you object to that?—A. No, sir; because in place where I was raised they have them that way; kind of garden like in rear of building.

Q. Did you ever talk with any of the men on the subject of hav-



ing a separate bar?—A. No, sir; I did not have but a very little said to me anyway. Went to a drug store to get some pills, I believe it was, and to get some writing-paper tablet. Wanted to know where we were from, and I told him; he said, "You boys is the nicest set of boys I have ever met. We have learned from the boys of the Twenty-sixth that you were going to be awfully rough here. You are the nicest set of fellows I ever met."

Q. Did you buy anything at this drug store?—A. I bought some pills and a tablet, I believe it was.

Q. Did they object to selling to you?—A. No, sir. The first drug store I went to I walked in, and nobody said anything to me. Some gentlemen in there talking. I stood around for a few minutes; nobody said anything, didn't ask me what I wanted or anything, so I walked out. They didn't say anything to me nor did I to them.

Musician Joseph Jones, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. I was in my bed in the quarters.

Q. Asleep or awake?—A. Asleep, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Have you ever been in a barroom in Brownsville?—A. No, sir.

Private Alonzo Haley, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. In the quartermaster corral, sir.

Q. Awake or asleep?—A. I was awake at the time the trouble commenced.

Q. Who was with you?—A. There were three other soldiers and three civilian teamsters. Private Williams, Company B; Private Johnson, C Company; Private John Henry, D Company.

Q. Were they awake or asleep?—A. They were asleep, sir.

Q. Do you know Elmer Brockon, B Company?—A. I do not.

Q. Who were the three teamsters?—A. I disremember their names; a couple of them were Mexicans: I do not remember the civilians' names.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Did you ever go into a saloon in Brownsville kept by a white man?—A. No, sir.

Q. Who were the other teamsters in the corral besides these that you have named?—A. One other soldier teamster out of C Company; I disremember his name.

Q. Any from D Company?—A. Private Williams, from B Company.

Q. Where was he?—A. He was in the corral; teamster, quartermaster's.

Musician Hoyt Robinson, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. I was on guard.

Q. Just state where you were at this particular time?—A. I was in the guardhouse, asleep.

Q. Who woke you up?—A. A member of the guard.

Q. Can't you remember who?—A. I did not know the name of the guard.

Q. What noncommissioned officer did you see as soon as you woke up?—A. Sergeant Reid, Company B; Corporal Wheeler, Company D. Those were the only two.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Have you ever been in a saloon in Brownsville kept by a white man?—A. No, sir.

Private John Green, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when firing commenced?—A. In my bunk; my bunk was in the barracks.

Q. Awake or asleep?—A. Asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir; never abused me.

Q. Did you ever go into a saloon in Brownsville kept by a white man?—A. No, sir; never went into any saloon down there at all. Went into eating shop but no white saloon.

Q. Who kept the eating house, a white man?—A. No, sir; it was a Mexican.

Q. How did the Mexicans treat the soldiers?—A. They treated us fine, very well. All of them treated me all right.

Private George W. Hall, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. In bed, sir; in quarters.

Q. Asleep or awake?—A. Asleep, sir.

Q. Anybody ever mistreat you in Brownsville?—A. No, sir.

Q. Were you ever in a saloon kept by a white man in Brownsville?—A. No, sir.

Q. Why didn't you go? Wouldn't they allow you in there?—A. No, sir; I wasn't allowed in there. That is, I heard.

Q. Do you object to having separate bar for soldiers of the Twenty-fifth Infantry?—A. No, sir; I do not object at all.

Q. If you do not object, would you rather have it that way?—A. It would suit me, sir; wouldn't care to object; it suits me.

Q. Which way would you prefer?—A. I don't know which way I would prefer to have it; I don't care.

Private John R. Jones, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. In my bunk, asleep; bunk was in the barracks of Company D.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Did you ever go to a saloon kept by a white man in Brownsville?—A. No, sir.

Q. Why not?—A. I didn't feel like going.

Q. Did you ever hear that they wouldn't let you in?—A. Yes, sir; I heard it.

Q. Did you go to Mexican saloons?—A. No, sir.

Q. Go to Holloway's saloon?—A. Yes, sir.

Q. Was Holloway's saloon kept for soldiers of the Twenty-fifth Infantry alone?—A. No, sir; anyone that wisht to go.

Private Joseph Shanks, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—

A. I was in quarters; barracks.

Q. Awake or asleep?—A. Asleep, sir.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Did you ever hear of anybody being abused in Brownsville?—A. No, sir.

Q. Did you ever go into a saloon in Brownsville kept by a white man?—A. No, sir.

Q. Why not?—A. Had no occasion to go in, sir.

Private Charles Jones, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—

A. Fort Brown, Tex.; in barracks.

Q. Awake or asleep?—A. Asleep, sir.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Did you ever go to a saloon kept by a white man?—A. No, sir.

Q. Why not?—A. Because when I got down there I heard they didn't allow us in there, and I didn't visit them. Visited Mexican saloon there, sir.

Q. How did the Mexicans treat the Twenty-fifth Infantry soldiers?—A. All right; I wouldn't want to be treated any better by any nation at all.

Q. Did you ever hear of anybody being abused in Brownsville?—A. Yes, sir; Private Newton, C Company, and Private Reed, C Company.

Q. Anybody else?—A. A man spoke about making a man get off the street; Jefferson, I think, of C Company.

Q. Anybody else?—A. No, sir.

Private Walter Johnson, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when firing commenced?—A. Over across the river in Mexico on orderly pass.

Q. When did you return to the United States?—A. I got back between 2 and 3 o'clock in the morning.

Q. How did the Mexicans treat you over in Mexico?—A. Treated me pretty nice.

Q. Did you ever go into a saloon in Brownsville kept by a white man?—A. No, sir.

Q. Why not?—A. I don't indulge.

Private Robert L. Rogan, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the firing commenced?—A. On August 13 about 12 o'clock was laying in my bed; was awakened by the men running around the quarters.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Do anything you didn't like?—A. No, sir; I never go around much any way.

Q. Anybody ever call you names in Brownsville?—A. No, sir; never been out to have any names called to me.

Q. Did you ever go into a saloon in Brownsville kept by a white man?—A. Don't drink at all, sir.

Private Henry H. Davis, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. I was in my quarters.

Q. Awake or asleep?—A. Asleep.

Q. Have you ever been abused in Brownsville?—A. No, sir.

Q. Heard of anybody being abused in Brownsville?—A. Yes, sir; heard of some soldiers being abused.

Q. Who?—A. Private Newton, Company C.

Q. Anybody else?—A. Yes, sir; Private Read, of Company C. That is all I have heard of.

Q. Have you ever been in a saloon in Brownsville kept by a white man?—A. No, sir.

Q. Why not?—A. Understood we were not allowed.

Q. Ever in a saloon kept by a Mexican?—A. Yes, sir.

Q. How did they treat you?—A. They treated me very nicely.

Q. Did you feel aggrieved because you couldn't go in a saloon kept by a white man?—A. No, sir.

Q. Did you hear of any soldiers that objected to a separate bar for colored soldiers and white people?—A. No, sir; I didn't hear of any.

Q. Would you go to such a place if there was one?—A. No, sir; I wouldn't go there.

Q. Then you would object to a place that had two barrooms—one for colored people and one for white people?—A. It doesn't make any difference. I don't drink any way. Most any place would do.

Private John Slow, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced?—A. I was at quarters, asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Did you ever hear of anybody who had been abused in Brownsville?—A. I heard about a man being struck there.

Q. Who was the man?—A. I think he belonged to C Company.

Q. Did you ever visit a saloon kept by a white man?—A. No, sir; I went to a saloon a Mexican kept close by the depot once.

Q. How did the Mexicans treat you?—A. All right, sir.

Q. How many Mexicans did you know down there?—A. I did not know any, sir.

Q. Did you ever go into a saloon in Brownsville kept by a white man?—A. No, sir.

Q. Why not?—A. I never went out much at all; I went out there once when I went to a Mexican saloon.

Private John A. Jackson, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when the firing commenced?—

A. In post, sir; D Company barracks.

Q. Awake or asleep?—A. Asleep.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Did you ever go to a barroom kept by a white man?—A. No, sir.

Q. Why not?—A. I heard the other soldiers talking about it. Heard the other soldiers say we were not allowed around. Went in two saloons in Brownsville; one was a Mexican, one a colored fellow's.

Q. How did the Mexicans treat you?—A. Treated me nicely.

Q. Did you ever hear of anybody being abused in Brownsville?—

A. Yes, sir; talked around there amongst some of the soldiers.

Q. Name some reported abused.—A. Newton, of C Company.

Q. Who else?—A. Never could find out the other one's name; told me some soldier got throwed off boat down by the wharf. Don't know who he was.

Private Edward Robinson, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced?—

A. In quarters, sir.

Q. State whether you were awake or asleep.—A. Asleep.

Q. Ever been abused in Brownsville?—A. No, sir; not in particular.

Q. Were you ever mistreated in any way in Brownsville?—A. No, sir.

Q. Anybody ever call you names?—A. No, sir.

Q. Ever in a barroom in Brownsville?—A. No, sir.

Q. Don't you drink?—A. Yes, sir.

Cook Charles Dade, Company D, Twenty-fifth Infantry.

Q. How long have you been in the service?—A. Nearly twenty-two years, sir.

Q. Where were you on August 13 when the shooting commenced?—A. In Brownsville. Just outside the wall with my family.

Q. By authority?—A. Yes, sir.

Q. Awake or asleep?—A. Asleep.

Q. Have you ever been abused in Brownsville?—A. No, sir.

Q. Your family ever been abused?—A. No, sir.

Q. How did the Mexicans there treat you?—A. Well, they treated me all right. I have no fault to find with the Mexicans at all.

Q. Did you ever go in a barroom or saloon in Brownsville?—A. Two I have been in.

Q. Kept by white men?—A. Think they were white, but kept by Mexican bartenders.

Q. Any white people in the saloon when you were there?—A. There were two in one saloon.

Q. Did they say anything to you?—A. No, sir.

Private Len Reeres, Company D, Twenty-fifth Infantry.

- Q. Where were you on August 13 when shooting commenced?—
 A. I was up in quarters in bed.
 Q. State whether you were awake or asleep.—A. I was asleep.
 Q. Anybody ever abuse you in Brownsville?—A. No, sir.
 Q. Did you ever go into a saloon in Brownsville kept by a white man?—A. No, sir.
 Q. Why not?—A. Just heard that they wouldn't allow them; never would go around.
 Q. Did you go in a Mexican saloon?—A. Yes; one.
 Q. Did you feel angry because you couldn't go in the other saloons?—A. No, sir.
 Q. Did you ever hear of any man being abused in Brownsville?—
 A. Heard there was a fellow shoved overboard by some revenue officer down there; another fellow struck in the head there, and he said some revenue officer did that.
 Q. Any more?—A. No, sir.

Musician Henry Jimerson, Company B, Twenty-fifth Infantry.

- Q. Where were you on August 13, 1906, when shooting in Brownsville commenced?—A. In quarters, sir.
 Q. Awake or asleep?—A. Asleep.
 Q. Were you ever abused in Brownsville?—A. No, sir.
 Q. Were you ever in a saloon in Brownsville?—A. No, sir; I never was.

Private William M. Matthews, Company D, Twenty-fifth Infantry.

- Q. Where were you on August 13, 1906, when shooting commenced?—A. In quarters, sir.
 Q. Awake or asleep?—A. Asleep, sir.
 Q. Were you ever abused in Brownsville?—A. No, sir.
 Q. Were you ever in a saloon in Brownsville?—A. Once, sir; called the depot saloon—Mexican saloon.

Private George W. Perkins, Company C, Twenty-fifth Infantry.

- Q. How long have you been in the service?—A. Eight years.
 Q. Where were you on August 13, 1906, when the shooting commenced?—A. In Brownsville; in quarters, in bed.
 Q. Awake or asleep?—A. Asleep at the time.
 Q. Have you ever been abused in Brownsville?—A. No, sir.
 Q. Have you ever been in a saloon in Brownsville kept by a white man?—A. Once I started in there and turned back. A Mexican told me not to go in those saloons because they wouldn't serve me, so I turned back and wouldn't go in. On one occasion I was down town unloading freight, stopped in; otherwise haven't been in.
 Q. Ever been in a Mexican saloon?—A. No, sir.

Private John Butler, Company D, Twenty-fifth Infantry.

- Q. Where were you on August 13 when shooting commenced?—
 A. In quarters; in bed.

Q. Were you ever abused in Brownsville?—A. No, sir; I went out but very little while there; there only a short time.

Q. Were you ever in a saloon kept by a white man?—A. No, sir; I wasn't in but one saloon while there; it was a Mexican saloon.

Q. Did you ever hear of any men being abused in any way in Brownsville?—A. No, sir; not as I knows of. I didn't hear of any. Heard of a man getting hit there and was reported to the commanding officer; was the only case.

Private Edward Jordan, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced?—A. At the quarters.

Q. Awake or asleep?—A. Asleep.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Ever go in a barroom in Brownsville kept by a white man?—A. Went to a Mexican saloon once there.

Private Henry Barclay, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when firing commenced in Brownsville?—A. Up in quarters.

Q. Awake or asleep?—A. Asleep.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Ever hear of anybody being abused in Brownsville?—A. Heard of one soldier; heard two soldiers say a soldier by the name of Newton, C Company.

Q. Did you ever go into a saloon in Brownsville kept by a white man?—A. No, sir; only went into one saloon a soldier put up there.

Q. Why didn't you go into a saloon kept by a white man?—A. Why, before I got there, heard some fellows say that we couldn't go in white saloons there.

Private Edward Wickersham, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. I was in quarters.

Q. Awake or asleep?—A. I was asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir; I didn't give them any chance. Stayed around quarters all the time.

Q. Were you ever in a saloon in Brownsville?—A. Yes, sir; in a Mexican saloon and colored saloon there.

Q. Why didn't you go into a saloon kept by a white man?—A. I had never been in that part of the country only when soldiering; reason I didn't go—said I wasn't wanted in there, so didn't go.

Q. Were you content with the Mexican and colored saloons?—A. Yes, sir.

Private Alfred N. Williams, Company B, Twenty-fifth Infantry.

Q. Where [were] you on August 13 when the shooting commenced?—A. Asleep in the corral at Fort Brown, Tex.

Q. Anybody ever abuse you in Brownsville?—A. No, sir; not while I was there.

Q. Ever hear of any men being abused while in Brownsville?—
A. I heard one man in C Company got hit over the head with a six-shooter: Private Newton, Company C, and also a man by the name of Private Reed, Company C. Heard that he was shoved overboard there.

Q. Anybody else?—A. Another man had a little trouble there; forget his name. Man in D Company had a little trouble; forget his name, tho.

Q. Were you ever abused in Brownsville?—A. No, sir; I never was.

Q. Did you ever visit a saloon kept by a white man in Brownsville?—A. Never but once; went in there, was refused, and walked out. Was refused to drink at front part of the bar, so walked out.

Q. Could you go around to the other part of the bar?—A. Could go around and get one.

Q. You objected to that?—A. Yes, sir; I objected.

Q. Did you ever go into a Mexican saloon?—A. No, sir; never did go in a Mexican saloon.

Private John Brown, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced?—
A. In the baker shop, asleep.

Q. Have you ever been abused in Brownsville?—A. No, sir.

Private William R. Jones, Company D, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced?—
A. In Fort Brown, sir.

Q. Whereabouts?—A. Asleep, when the shooting commenced.

Q. Where?—A. In my bunk; sleeping in my quarters.

Q. Were you ever abused in Brownsville?—A. No, sir.

Private Frank Bunsler, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced?—A. In the guardhouse at Brownsville.

Private Elmer Brown, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced at Brownsville?—A. In the corral, sir.

Q. Awake or asleep?—A. Asleep.

Q. Have you ever been abused in Brownsville?—A. No, sir.

Q. Ever been in a saloon kept by a white man in Brownsville?—
A. Yes, sir.

Q. Did they serve you drinks there?—A. Yes, sir; I got drinks there. I never was in only Mr. Parshell's.

Q. Did you drink at the same bar where white people drank?—A. Yes, sir.

Q. Have any trouble in that saloon?—A. No, sir; about the nicest one in town.

Q. Have you ever been abused by anybody in Brownsville?—A. No, sir.

Q. Did you ever hear of anybody's being abused?—A. I heard of some soldiers being mistreated there.

Q. Give their names.—A. One was Private Reed, of Company C; the other—I can not think of his name.

Q. How did the Mexicans treat you?—A. I was treated very nicely by everybody around there, sir.

Private William Smith, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced?—A. In quarters, asleep.

Q. Were you ever mistreated in Brownsville?—A. No, sir.

Q. Ever been in a saloon in Brownsville kept by a white man?—A. No, sir.

Private Henry W. Arvin, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced in Brownsville?—A. In my bunk, sir; Fort Brown, in quarters.

Q. Were you ever abused in Brownsville?—A. No, sir; I was not.

Q. Were you ever in a saloon in Brownsville kept by a white man?—A. No, sir.

Q. Why not?—A. Heard they didn't allow us in there. Wanted us to go in back. I never associated with them.

Q. You objected to going into the back part, then?—A. Yes, sir.

Private Robert L. Collier, Company C, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced at Brownsville?—A. I was on guard that night, sir. Was at the closet at the guardhouse. Closet was at the rear of the guardhouse on outside.

Q. Did you have to go out of the front door of the guardhouse to get to the rear?—A. No, sir; didn't have to go out the front door.

Q. Is the closet, then, a part of the guardhouse?—A. No, sir.

Q. Is it connected with the guardhouse?—A. No, sir; it is on the outside.

Q. How did you get out of the guardhouse to go to the rear?—A. Went out the back door of the guardhouse.

Q. Did you see No. 1 when you went to the rear?—A. No, sir; can't see No. 1 from the rear.

Q. People can go in and out of the guardhouse without No. 1 knowing it, can they?—A. Yes, sir; they can go in and come out without No. 1 knowing it.

Q. You were in rear when firing commenced, were you?—A. Yes, sir; I just came off post.

Q. Did you call for relief to go off post?—A. No, sir; it had come my time to be relieved off post.

Q. Did you return immediately to the guardhouse when you heard firing?—A. Yes, sir; taken up double time.

Q. Who did you see in the guardhouse when you entered?—A. The ones I saw when I got there were the men that were on guard.

Q. What sergeant? Did you see a sergeant?—A. Yes, sir; Sergeant Reid.

Q. Did you see any corporals?—A. Yes, sir; corporals were there.

Q. Who were they?—A. I don't remember the corporals' names.

Q. Have you ever been abused in Brownsville?—A. No, sir.

Q. Ever been in a saloon in Brownsville?—A. No, sir.

Q. Have you ever heard of any men of the Twenty-fifth Infantry being abused in Brownsville?—A. One got knocked down; one got pushed overboard in the river.

Q. Any more?—A. Not any more.

Private Henry Odom, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13 when shooting commenced at Brownsville?—A. Asleep, sir; in barracks.

Q. Who did you first see when you woke up?—A. I got up and put on my trousers and ran down, met the major, first I saw.

Q. Have you ever been abused in Brownsville?—A. No, sir.

Q. Have you ever been in a bar room kept by a white man?—A. No, sir.

Q. Why not?—A. Because I very seldom went down town, sir.

Private Leroy Horn, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. Laying in bed, asleep, sir. Bed on side of house next to town, in barracks.

Q. Were you ever abused in Brownsville?—A. No, sir.

Private Solomon Johnson, Company B, Twenty-fifth Infantry.

Q. On August 13, 1906, where were you when shooting commenced?—A. In quarters, sir; in barracks, in bed.

Q. Asleep or awake?—A. Asleep.

Q. Were you ever abused in Brownsville?—A. No, sir; I wasn't.

Q. Were you ever in a saloon in Brownsville kept by a white man?—A. No, sir.

Q. Why not?—A. It was said partition had been put between white and colored, so I never went down there.

Private William Anderson, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced?—A. In my bed, asleep; in barracks when shooting begun. When I woke up shooting was going on; shooting and call to arms woke me up together.

Q. Anybody ever abuse you in Brownsville?—A. No, sir; never had any trouble my time with anyone.

Q. Did you ever hear of anyone having trouble? If so, state who.—A. I heard of Private Reed, C Company, and Newton, C Company, so I heard say: I don't know, tho.

Q. Anybody else?—A. No, sir.

Private John B. Anderson, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13 when firing commenced?—A. In my bunk in quarters, sir; asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Who was the first man you saw when you awoke?—A. A man



that sleeps right side of me. William Anderson bunks right side of me.

Private William Brown, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. In bed, sir, in quarters; in Brownsville.

Q. Were you in Brownsville or Fort Brown?—A. Fort Brown.

Q. Are you sure it was Fort Brown?—A. Yes, sir.

Q. Why did you say Brownsville?—A. Because that was where we were stationed at, Brownsville, wasn't it?

Q. Were you stationed at Fort Brown or in Brownsville?—A. But we always spoke of it as Brownsville.

Q. Were you asleep or awake?—A. I was asleep.

Q. Who was the first person you saw when you awoke?—A. When I first awoke I heard some one calling, "Blow; blow the call."

Q. Who was the first person you saw when you awoke?—A. When I first got out of bed, Sergeant Jackson coming with a small piece of candle in his hand.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Did you ever hear of anybody being abused in Brownsville?—A. I heard of two men, sir.

Q. Name them.—A. Newton; I heard he got knocked in the head with a six-shooter. I heard that Reed, of C Company, was pushed off of a boat.

Q. Did you ever hear of anybody else being abused?—A. No, sir.

Private William J. Carlton, Company B, Twenty-fifth Infantry.

Q. Where were you when the shooting commenced August 13, 1906?—A. Fort Brown, Tex.

Q. Where?—A. In quarters.

Q. Asleep or awake?—A. Asleep, sir.

Q. Were you ever mistreated in Brownsville?—A. No, sir.

Q. Have you ever been in a saloon in Brownsville kept by a white man?—A. Yes, sir; the first night we arrived there.

Q. Did they serve you drinks?—A. No, sir.

Q. Did they refuse to serve you drinks?—A. Refused to serve drinks at Fort Brown, and I came out of the saloon. I never had occasion to go in the rest of them while I stayed there.

Private James Allen, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced?—A. I was in bed asleep, sir; in company quarters.

Q. Who was the first person you saw after you woke up?—A. I do not remember; everybody was stirred up.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Were you ever refused a drink in any bar in Brownsville?—A. No, sir; never did go into a barroom.

Private Harry Carmichael, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced?—A. Fort Brown, Tex.; in quarters in bed, asleep, sir.

Q. Were you ever abused by civilians in Brownsville?—A. No, sir.

Q. Did you ever hear of any soldiers being abused in Brownsville?—A. Yes, sir; I heard of two men of C Company.

Q. Give their names?—A. One Reed and Newton. I think.

Q. Any others?—A. No, sir.

Private George Conn, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced?—A. Asleep in my bunk, sir.

Q. Whereabouts?—A. Second floor, Company B quarters. Had pulled my bunk so as to catch the air and had my head toward the window; very near the window.

Q. Who was the first man you saw after you woke up?—A. The first man I saw was the noncommissioned officer in charge of quarters that I can remember.

Q. His name?—A. Sergeant Jackson.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Did you hear of any soldier being abused in Brownsville?—A. I heard of several instances; yes, sir.

Q. Give their names.—A. Private Newton, C Company; Private Reed, C Company; Private Gill had some trouble, D Company. That is all that I can remember, sir.

Q. Were you ever in a barroom kept by a white man in Brownsville?—A. No, sir.

Corporal Franklin, B Company (recalled).

Q. Corporal, in the guardhouse at Fort Brown, how many doors are there open out doors?—A. There are two, sir; one into the prison cells.

Q. You can enter the guardhouse from outside by how many doors?—A. Two doors.

Q. Where are they—what part of the guardhouse—front or rear?—A. Kind of sally ports thru the building.

Q. What is on one side of the sally port and what is on the other side of the sally port?—A. The guardroom is on one side and sergeant of the guard's room on the other.

Q. Where are the prison rooms and cells?—A. In the rear.

Q. If you close up the front entrance of the sally port, if you close that up, can you then get out of the guardhouse by any other way?—A. Yes, sir.

Q. What way?—A. You can get out between the guardroom and the prison room and between the sergeant of the guard's room and prison room. Space between each one of them.

Q. Where does No. 1 walk?—A. He walks in front of the guardhouse.

Q. Ever go around the guardhouse?—A. Yes, sir.

Q. If you are in the sally port you can walk out thru the front, can you not?—A. Yes, sir.

Q. Or you can walk out thru the rear?—A. Yes, sir; between the prison room and sergeant of the guard and between the prison room and the guardroom.



Corporal Wheeler, D Company (recalled).

Q. Do you remember the guardhouse at Fort Brown?—A. Yes, sir.

Q. How many entrances are there to that guardhouse from the outside?—A. Three, sir.

Q. How do you designate them? Name them so as to distinguish them when you are on guard.—A. I would call the front one entrance—big arch doorway there.

Q. Where are the other two entrances?—A. The others come in on either side, sir.

Q. Where are the rears—first the one used for the guard?—A. I am not very well acquainted; the rear is on the left of the side of rear corner of the guardhouse.

Q. Where does it open from?—A. Out doors.

Q. Where do the prisoners go?—A. They all use the same rear; are taken with sentry to that rear.

Private Thomas Jefferson, C Company (recalled).

Q. Did you ever have any trouble with civilians in Brownsville?—A. No, sir.

Q. No trouble whatever?—A. No, sir; no trouble whatever.

Q. No disagreement of any kind?—A. No, sir; I haven't.

Private John Cook, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced at Brownsville?—A. In quarters, asleep, sir.

Q. Have you ever been abused by civilians in Brownsville?—A. No, sir.

Q. Have you ever heard of any soldiers of the Twenty-fifth Infantry being abused by people in Brownsville?—A. Two soldiers of C Company; I heard one got hit and one throwed into the river.

Private Charles Cooper, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the firing commenced at Brownsville?—A. In barracks, asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Have you ever been in a saloon in Brownsville kept by a white man?—A. No, sir.

Private Boyd Conyers, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced in Brownsville?—A. On guard, asleep; on guard. Had been relieved about half an hour.

Q. Who did you see when you woke up?—A. I was awakened by several voices. Everybody was in a stir getting out. I got up and fell in line with the rest of the guard, and then I was posted at the back end of the guardhouse to watch the back end of the guardhouse.

Q. When you first fell in, how many men were there in ranks?—A. I do not remember.

Q. Was there one or twenty?—A. As many as six—about six.

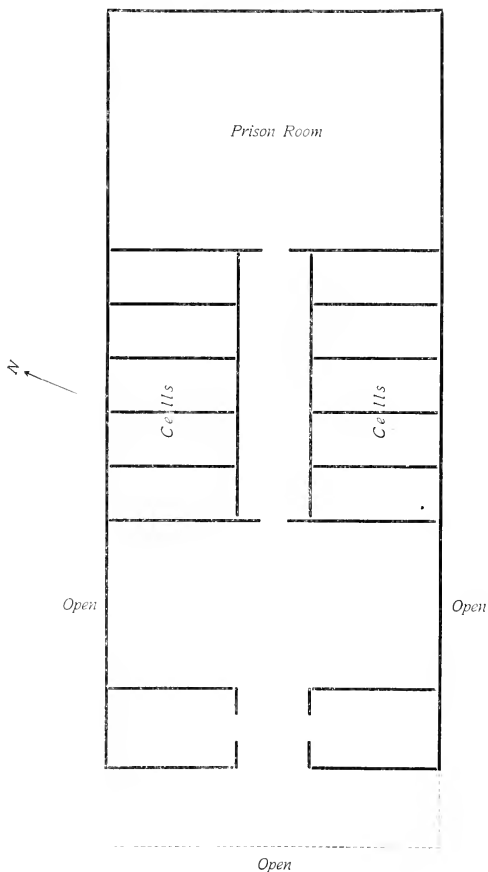
Q. What noncommissioned officer did you see?—A. Sergeant Reid,

commander of the guard. He posted me at the rear end of the guardhouse.

Q. Is the guardhouse all one building?—A. No, sir; where the prisoners stay is kind of light like between that and where the guard stays. It is all connected together, I think, but am not positive. Kind of light separates where are the prison cells and the front part of the guard.

Q. In front, then, of the prison room and cells what do you find? Is there a room in front of them?—A. Yes, sir; two rooms in front of prison cells; prison cells back of front part of building. There is a room on one side and a room on the other side—room for noncommissioned officers and room for privates to sleep off relief.

No. 1.



Q. In front of the guardhouse?—A. Yes, sir.

Q. What is immediately in rear of these two rooms?—A. The rooms back there where the prisoners stay.

Q. Is there anything between the rooms occupied by the guard privates and noncommissioned officers and the place where the prisoners stay?—A. No, sir; nothing between them.

Q. No open space?—A. Yes, sir; open space, but no building.

Q. Does this resemble the guardhouse (shown diagram No. 1^a)?—

A. With that open there on each side; yes, sir.

Private Caroline Desaussure, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Fort Brown?—A. On guard, sir; at the guardhouse.

Q. Awake or asleep?—A. Asleep, sir.

Q. When you first woke up what noncommissioned officer did you see?—A. Sergeant Reid, commander of the guard, B Company.

Q. Any corporals?—A. Yes, sir; corporals there; Corporal Burdett, of B Company.

Q. Any others?—A. Yes, sir; two others; I didn't see them at the time. The sergeant sent me right away from the guardhouse.

Q. Does this represent the guardhouse (shown diagram No. 1^a)?—

A. Yes, sir.

Private Lawrence Daniels, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced?—A. Fort Brown, Tex.; on guard, sir.

Q. Awake or asleep?—A. Asleep when the shooting commenced.

Q. When you woke up what noncommissioned officer did you first see?—A. First noncommissioned officer was Sergeant Reid.

Q. Did you see him as soon as you woke up?—A. Yes, sir.

Q. Do you remember how the guardhouse looked at Fort Brown?—A. Yes, sir.

Q. Does this represent the guardhouse (shown diagram No. 1^a)?—

A. Yes, sir.

Q. Were you ever abused in Brownsville?—A. No, sir.

Private William Harden, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced?—A. On August 13, 1906, in hospital, east ward, at Fort Brown.

Q. Have you ever been abused in Brownsville?—A. No, sir.

Q. Have you ever had any trouble of any kind in Brownsville?—A. No, sir; in hospital all the time except four or five days; went to hospital few days after went there and stayed until we left.

Private August Williams, C Company (recalled).

Q. Were you ever abused by any man in Brownsville?—A. No, sir.

Q. Ever have the slightest trouble with anybody in Brownsville?—A. No, sir.

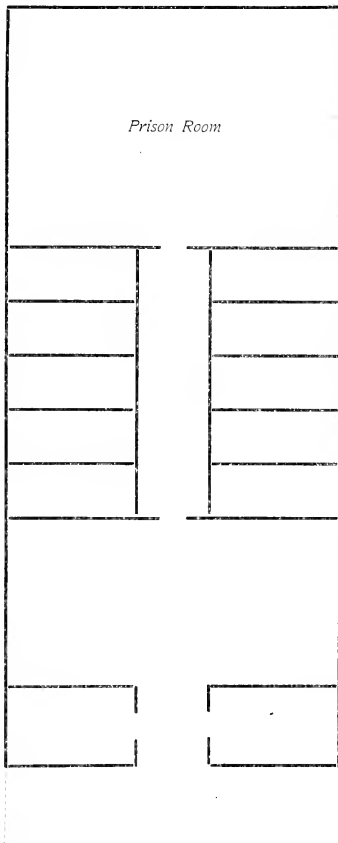
Q. Were you ever out walking with McGuire and Harden?—
A. Yes, sir; I was.

Q. Did you have any trouble while you were with them?—A. No, sir; I didn't.

Q. Did they have any trouble?—A. McGuire and us were walking down the street; McGuire was on the outside and past along by a white fellow. I guess he kind of pushed up against him; I wasn't paying any attention. He calls this boy a "black son of a bitch."

Q. McGuire didn't call him any names?—A. No, sir; didn't call him any names at all.

No. 2.



Q. Didn't call you anything, did he?—A. No, sir; didn't call me anything.

Private Shepherd Glenn, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. In my bunk, in quarters, asleep.

Q. Have you ever been abused in Brownsville?—A. No, sir.

Q. You ever been in a barroom kept by a white man?—A. No, sir; never in any saloon at all down there.

Private Isaac Goolsby, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced at Brownsville?—A. In quarters, asleep.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Were you ever in a saloon kept by a white man?—A. No, sir.

Q. Why not?—A. Heard they didn't allow us and didn't go there.

Lieutenant Grier, Twenty-fifth Infantry (recalled).

Q. Does this represent the guardhouse (shown diagram No. 1^a)?—

A. Yes, sir; except there is a wall in the two side spaces marked open; are not open, but closed with a wall about 12 feet high, to the best of my knowledge and belief.

Q. Does this represent the guardhouse correctly (shown diagram No. 2^b)?—A. Yes, sir; it does.

Private McGuire, C Company (recalled).

Q. Were you ever abused by anybody in Brownsville?—A. Me and Private Williams and Private Harden were walking out one evening and a civilian came along. I was on the outside and he wanted to go between us and I just closed in to the right and let him go on the outside. When he got off apiece, turned around, and said: "You black son of a bitch; don't you know this is a white man's town?" We didn't say anything; we just turned and went on.

Private William Harden, B Company (recalled).

Q. Were you ever abused by anyone in Brownsville?—A. No, sir; I was down town one night before I went to the hospital, with McGuire and August Williams, the other man's name. All three walking the street. This man McGuire was on the outside, next to the road. We met a young white gentleman and their shoulders kind of touched one another and he turned around and cursed this man McGuire for a "black son of a bitch," and told him that this was a white man's town, and when he met him he wanted to get out in the street. That was all between the two men; we proceeded on back to the post. Next morning I went to the hospital.

^a See p. 85.

^b See p. 87.

Private Charley Hairston, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced at Brownsville?—A. Fort Brown, Tex.; on guard.

Q. What was the number of your post?—A. No. 3, around officers' quarters.

Q. Could you see anything over in the vicinity of the guard-house?—A. No, sir.

Private James Johnson, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced?—A. In my bed.

Q. Where was your bed?—A. Fort Brown.

Q. In quarters or out of quarters?—A. In quarters, sir.

Q. Awake or asleep?—A. I was asleep when the trouble started.

Q. Were you ever abused in Brownsville?—A. No, sir.

Q. Did you ever hear of anybody being abused in Brownsville? If so, mention their names.—A. No, sir.

Private Frank Jones, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced?—A. In my bunk, sir.

Q. Where was that?—A. Fort Brown.

Q. What part of Fort Brown?—A. Barracks.

Q. Awake or asleep?—A. Asleep, sir, when firing commenced.

Q. Were you ever abused in Fort Brown?—A. No, sir.

Q. Did you ever hear of anybody being abused in Fort Brown?—A. Yes, sir.

Q. Give the names of the people abused.—A. One man was Private Newton; I can't remember the other names.

Private Henry Jones, Company B, Twenty-fifth Infantry.

Q. Where were you when the shooting commenced?—A. Fort Brown, Tex.

Q. What part of Fort Brown, Tex.?—A. In the barracks, asleep, sir; in bed.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Private George Larson, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced?—A. Fort Brown, Tex.; in barracks, asleep, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

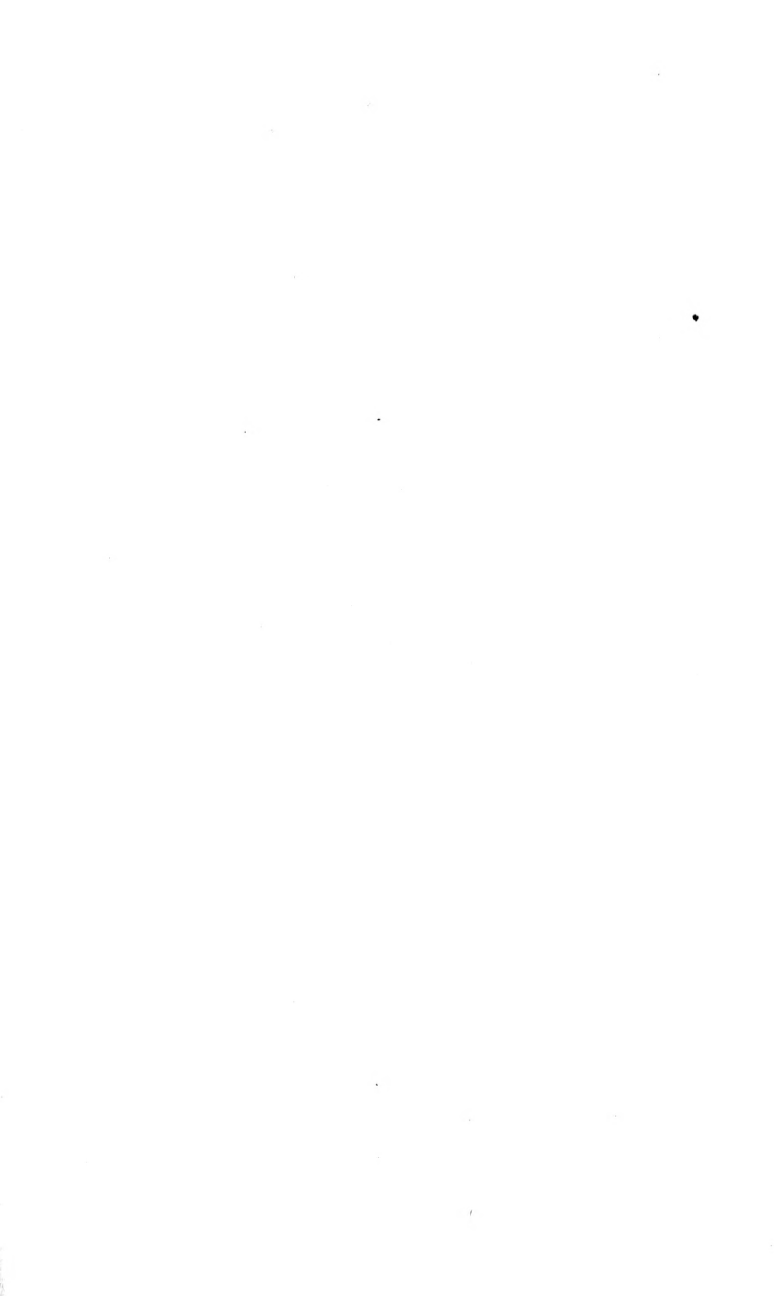
Private Willie Lemons, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced in Brownsville?—A. In Fort Brown.

Q. Whereabouts in Fort Brown?—A. In my bunk, asleep.

Q. In barracks?—A. Yes, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.



Q. Did you ever go into a saloon kept by a white man in Brownsville?—A. No, sir.

Private Samuel McGhee, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced in Brownsville?—A. In my quarters, asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Did you ever go into a saloon kept by a white man in Brownsville?—A. No, sir.

Q. Why not?—A. Because the evening we arrived there I was told when I came off guard that I wasn't wanted in those saloons and I didn't go into any of them.

Q. Ever go into a Mexican saloon?—A. No, sir.

Private George W. Mitchell, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when shooting commenced?—A. Asleep, sir.

Q. Where?—A. In quarters.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Private Thomas Taylor, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced?—A. In bed, asleep; Fort Brown, Tex.

Q. Whereabouts in Fort Brown?—A. In quarters, Fort Brown.

Q. Anybody ever abuse you in Brownsville?—A. No, sir; never went around them.

Private William Thomas, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced in Brownsville?—A. In my bunk, sir.

Q. Whereabouts?—A. In quarters, B Company.

Q. Who was the first person that you saw after you awoke?—A. I do not know the man that woke me up; they were making noise running around quarters.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Private Alexander Walker, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced?—A. In my room, sir; asleep. I was cook at that time for the company.

Q. In barracks?—A. Yes, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Private Edward Warfield, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the firing commenced?—A. In my bed, in the quarters, asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Private Julius Wilkins, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the firing commenced?—A. Asleep in my bed, in my company quarters.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Any way, shape, or manner?—A. No, sir.

Private Bristol Williams, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced in Brownsville?—A. In quarters, in my bunk.

Q. Awake or asleep?—A. Asleep.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Q. Did you ever hear of any soldier being abused in Brownsville?—A. Yes, sir; two men of C Company.

Q. Who were they?—A. Private Newton and Private Reed.

Q. What did they do to them?—A. Newton got hit over the head with a six-shooter; Reed was shoved overboard in the Rio Grande.

Q. Any other men?—A. No, sir; not that I know of.

Private Joseph L. Wilson, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13, 1906, when the shooting commenced in Fort Brown?—A. In company quarters.

Q. Awake or asleep?—A. Asleep, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Private James Bailey, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13 when the shooting commenced?—A. I was sick in hospital; in post hospital.

Private Stansberry Roberts, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13 when the firing commenced?—A. In my quarters, asleep, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

Private Battier Bailey, Company B, Twenty-fifth Infantry.

Q. Where were you on August 13 when the firing commenced?—A. In my bed, sir.

Q. Where was your bed; in quarters?—A. In quarters; yes, sir.

Q. Anybody ever abuse you in Brownsville?—A. No, sir.

[Affidavits.]

Personally appeared before me, the undersigned authority, one Solomon P. O'Neil, a corporal of Company C, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

That he was asleep in his company quarters at Fort Brown, Tex., on the night of August 13-14, 1906, when he was awakened some time in the middle of the night by the sound of a shot, and that right after this shot he heard rapid

firing; that it sounded as tho noise of the shooting was outside the quarters—in the direction of Brownsville; that he then got up, hearing "call to arms," and went to get his rifle, which was locked up on the gun racks, and not being able to get it went to the window in the direction of the firing and lookt out, and could then see the flashes of the guns which were being fired on the outside of the wall and in rear of B Company's quarters; that it was so dark he could not see who was doing this shooting, but could hear some one call out between shots, "Oh, you black sons of bitches;" that he heard about fifty shots, more or less, on this night; that he does not know who did this shooting nor has he any reason to suspect any particular person or persons of being concerned in it.

And further the deponent saith not.

SOLOMON P. O'NEIL,

Company C, Twenty-fifth Infantry.

Sworn to and subscribed before me, at Fort Reno, Okla., this 25th day of September, 1906.

SAMUEL P. LYON,

Captain, Twenty-fifth Infantry, Summary Court.

Personally appeared before me, the undersigned authority, one William Harden, a private of Company B, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

I was in the post hospital at Fort Brown, Tex., asleep on my bunk, on the night of August 13, 1906, when the shooting took place at that post. The shooting woke me up. I got up and came out on the front porch toward town with the hospital steward and the other patients. When I got out on the hospital porch I heard a bunch of mounted people galloping along the wire fence from east to west along the north boundary of the post. They were coming from the northeast corner of the wire fence. They opened up a fire near where the wire fence joins the wall, in rear of the first set of barracks. They fired a few shots here, I don't know exactly how many, and then rode on along the wall to where most of the firing took place—in rear of B and C Company barracks. Firing ceased soon after call to arms sounded. Some six or seven bullets came over the hospital. We got behind those big brick pillars. The bullets were lead bullets, because they had a coarse hum and did not sing like a steel bullet. It was too dark to see any persons. I knew nothing about any trouble.

And further the deponent saith not.

WILLIAM HARDEN,

Company B, Twenty-fifth Infantry.

Sworn to and subscribed before me, at Fort Reno, Okla., this 25th day of September, 1906.

SAMUEL P. LYON,

Captain, Twenty-fifth Infantry, Summary Court.

Personally appeared before me, the undersigned authority, one Charles E. Rudy, an artificer of Company C, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

That he was asleep on the front porch of his company quarters at Fort Brown, Tex., on the night of August 13-14, 1906, when he was awakened about 12 o'clock by a shot. That this first shot seemed to come from the direction of Brownsville, and that right after that shot a number of shots were fired very rapidly near where the first shot was fired. That he got up and went into the quarters, and that by the time he got inside the quarters "call to arms" had sounded, and he went to the gun rack to get his gun, but he found the gun rack locked and went to the back door and lookt out to see if he could see

the shooting, and saw the flash of a number of guns which were being fired from along the wall which separates Fort Brown from Brownsville, and that it lookt as tho they were being fired on the outside of the wall. It was so dark that he could not see who was firing, but from the flashes it lookt as tho about twenty-five or thirty people were firing. From the direction of the flashes it lookt as tho the parties firing were firing in the direction of B Company's quarters, and high. That as the shooting continued he heard cursing and calls of "Come out, you black sons of bitches, and we will kill all of you," from where the shooting was going on. That he left the door and went to get his rifle and fall in with the company outside of the quarters, and saw no more of the shooting. That he does not know who did this shooting.

And further the deponent saith not.

CHARLES E. RUDY,
Company C, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 12th day of September, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry, Summary Court.

FORT BROWN, *State of Texas, ss:*

Personally appeared before me, the undersigned authority, one Jacob Frazier, a first sergeant of Company D, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

About 12 o'clock midnight, August 13, 1906, I was asleep in my house, which is situated about 100 yards east of the east set of soldiers' quarters. I was awakened by two shots being fired from the road in rear of B Company quarters, as near as I can judge. My first impression was that it was the alarm for fire. I immediately got on some clothes and started to run for the company. Then a fusilade of shots was fired from along this road, and the call to arms was sounded. When I was passing in front of Company C quarters I distinctly heard someone shout "Cease firing," several times, and it seemed to come from the road in rear of barracks. When the fusilade of shots started and the call went, I thought the post was being shot up by the civilians of Brownsville. When I reached barracks the men were coming out with their guns, and I fell in the company and checked them, using a lantern. Two men were absent on pass, Corpl. C. H. Hawkins and Private Walter Johnson. When the company was formed Captain Lyon took command and took up a position along the wall in rear of the barracks. Then we patrolled thru town and returned to the post. I do not know who did the firing. I would not believe that the soldiers had anything to do with it until I was told that Government ammunition was found the next morning. I do not believe that any member of D Company was implicated in the affair. I know of nothing that could have caused or that would warrant this firing.

JACOB FRAZIER,
First Sergeant, Company D, Twenty-fifth Infantry.

Subscribed and sworn to before me at Fort Brown, Tex., this 21st day of August, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.

[For affidavits, here omitted, of Sergt. George Jackson, Sergt. Darby W. O. Brawner, Corpl. David Powell, Private J. H. Howard, and Scavenger M. G. Tamayo, and statement of Sergt. J. R. Reid to Maj. A. P. Blocksom, see papers appended to Major Blocksom's report, pp. 17-20.]



SAN ANTONIO, COUNTY OF BEXAR, *The State of Texas*, ss:

Personally appeared before me, the undersigned authority, one Edwin P. Thompson, who, being sworn, deposes and says:

That he is a second lieutenant in the Army of the United States; that in such capacity he served at Fort Brown, Brownsville, Cameron County, State of Texas, from September 4, 1903, until August 13, 1906; that when it was known that a battalion of the Twenty-fifth United States Infantry was to garrison the post many derogatory remarks were made before its arrival by some citizens in reference to the colored soldiers in words as follows, or words to the like effect: "We don't want the damn niggers here;" "Niggers will always cause trouble;" "To hell with the colored soldiers; we want white men," and that he is unable to fix any one of such remarks upon any one citizen owing to the frequency with which like remarks were made and the period of time covered; that various minor clashes occurred between the individual citizens of the town and the soldiers; that one Teofilo Crixell, a saloonkeeper of Brownsville, Tex., told him that a row had occurred in the "White Elephant" saloon, owned by one Vicente Crixell, in words to this effect, to wit: That one Bates a Federal officer, was at the bar drinking when a colored soldier entered and asked for a drink; that the said Bates then turned to the soldier and said no nigger could drink at the same bar with him, and that upon the soldier remarking that he was as good as any white man said Bates drew his revolver and hit the soldier over the head; said Bates then going to the police headquarters and offering to pay his own fine.

Further deponent saith not.

E. P. THOMPSON,
Second Lieutenant, Twenty-sixth Infantry.

Sworn to and subscribed before me this 27th day of September, 1906.

L. M. PURCELL,
Second Lieutenant, Twenty-sixth Infantry, Judge-Advocate.

STATE OF TEXAS, *Post of Fort Sam Houston*, ss:

Personally appeared before the undersigned authority, one D. W. Kilburn, a captain of the Twenty-sixth Infantry, who, being duly sworn according to law, deposes and says:

I was stationed at Fort Brown, Tex., from January 25, 1904, to June 2, 1906. On or about the 20th of May, 1906, orders were received transferring the Third Battalion of the Twenty-sixth Infantry to Fort Sam Houston, Tex., and ordering a battalion of the Twenty-fifth Infantry (colored) to take station at Fort Brown. Great discontent was shown by the citizens upon receipt of the order. Upon one occasion in particular Mr. Tillman, a citizen of Brownsville, and owning a large grocery store opposite Crixell Brothers, in a conversation with me express his doubt about the advisability of sending colored troops to Brownsville. He further said, to the best of my recollection at this date, that it would not be long before they had white troops back again. I believe that several other citizens of Brownsville were present at the time and acquiesced in the above statements.

Further deponent saith not.

D. W. KILBURN,
Captain and Quartermaster, Twenty-sixth Infantry.

Subscribed and sworn to before me this 11th day of September, A. D. 1906.

L. M. PURCELL,
*Second Lieutenant, Twenty-sixth Infantry,
Judge-Advocate, General Court-Martial.*

Personally appeared before me, the undersigned authority, one George Grier, a cook of Company C, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

That on the night of August 13-14, 1906, at Fort Brown, Tex., he went to bed at 9 o'clock on the porch of the C Company, Twenty-fifth Infantry, quarters, on the side which is nearest to Brownsville, Tex. That he went to sleep and was not awakened until about 12 o'clock, when he was awakened by a shot which was fired on the Brownsville side of the wall between Fort Brown and Brownsville, and in the rear of the B Company, Twenty-fifth Infantry, quarters. That immediately after this he saw the sentry, who was on post near this place, fire three shots in front of B Company's quarters, and heard him call out several times: "Number 2, the guard." That it was so dark that he could not see the sentinel himself when he fired these shots, but he saw the flash of a gun pointed up in the air right where the sentinel was calling for the guard. That just then he went inside a little room next to the porch and shut the door, and immediately afterward he heard ten or twelve shots, more or less, which seemed to come from the direction of the place where the first shot was fired. That he was in a hurry to get inside, fearing that he would get shot, and he did not see who fired the first shot on the outside of the wall. That he was on the inside of the quarters when the other shots were fired from the direction of the wall, and has no idea who fired them. That he has learned nothing since this time which would lead him to form any opinion as to who fired any of these shots except those which the sentinel fired.

And further the deponent saith not.

GEORGE GRIER,

Company C, Twenty-fifth Infantry.

Sworn to and subscribed to before me at Fort Reno, Okla., this 12th day of September, 1906.

SAMUEL P. LYON,

Twenty-fifth Infantry, Summary Court.

Personally appeared before me, the undersigned authority, one Thomas Jefferson, a private of Company C, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

That he went to bed in his company quarters at Fort Brown, Tex., about 9 o'clock on the night of August 13-14, 1906, and was awakened by the report of a shot in the middle of the night; that then he went to the window and looked out in the direction of where the shot came from, this being toward the rear of B Company's quarters. He saw from the flash of a gun that a man was firing from inside the wall (on the side nearest to the quarters), between the rears of B and C Companies. This man seemed to be firing high and up over the quarters. He fired six shots. At the same time about ten men who were scattered along the wall, either on the outside of the wall or on the inside of it, in rear of B Company's quarters, were keeping up a steady fire, and fired probably 100 shots or over. These men seemed to be firing high, but he could not tell in what direction they were firing, and while they were still firing he went back and sat down on his bed to listen whether any of the shots were hitting the quarters or not. None seemed to be hitting the quarters, so he made up his mind that the firing was not at the quarters. Then call to quarters sounded and he went outside to fall in with the company. That the firing ceased while he was still sitting on his bed; that it was so dark that he could not see the persons who were firing while standing at the window; that no one else was standing at the window while he was standing there, and that he saw no one else standing at any of the windows looking out; that he thinks that the first shot fired was a pistol shot, as it made a very sharp report; that he thinks that some of the rest of the shots were fired by rifles, as the reports of these were louder and not so sharp, and some by pistols; that he does not know who did this shooting or has not heard anything

to lead him to suspect any particular person or persons of being concerned in this shooting.

THOMAS JEFFERSON,
Private, Company C, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 12th day of September, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry, Summary Court.

Personally appeared before me, the undersigned authority, one William Mapp, a private of Company C, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

That he was asleep in his company quarters at Fort Brown, Tex., on the night of August 13-14, 1906, when he was awakened some time in the middle of the night by the sound of shooting outside of the quarters and the noise of trumpets blowing call to arms; that he then put on his clothes, and while doing this heard some one from the outside of the quarters call out, "Come out, you black sons of bitches;" that the sound of shooting and of this person's voice seemed to come from outside and back of the quarters; that he heard about ten or fifteen shots in all; that he did not see any of this shooting and does not know who did it, and has no reason to suspect any particular person or persons of being concerned in it; that he was told by the corral boss the next morning that he, the corral boss, had seen a crowd of men near the post who seemed to be looking for soldiers with the evident intention of killing them; that the above is all that he knows concerning this shooting, and that he has no reason to suspect any particular person or persons of being concerned in it.

And further the deponent saith not.

WILLIAM MAPP,
Company C, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 25th day of September, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry, Summary Court.

FORT BROWN, *State of Texas, ss:*

Personally appeared before me, the undersigned authority, one Charles Dade, a cook of Company D, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

About 12 o'clock midnight August 13, 1906, I was asleep in a house which I had rented for my wife and family, situated directly across the street from the kitchen door of barracks. I was awakened by my wife, who said there was some firing going on outside. I went out and saw there was no shooting near my house, so brought my family across the road to barracks. Just as I reached the wall in rear of barracks the call "to arms" was sounded. The firing continued while I was crossing the road and after I had crossed. I did not see any flashes from guns, nor do I know what kind of firearm was being used. There was no firing in the road in rear of D Company quarters; it came from the vicinity of the post gate and the telegraph office, it seemed to me. After I had reached barracks I remained in the kitchen. I do not know who did the firing, nor do I know what could have caused it.

Further deponent saith not.

CHARLES DADE,
Cook, Company D, Twenty-fifth Infantry.

Subscribed and sworn to before me at Fort Reno, Okla., this 4th day of September, 1906.

SAMUEL P. LYON,
*Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.*

FORT BROWN, *State of Texas, ss:*

Personally appeared before me, the undersigned authority, one William A. Matthews, private of Company D, Twenty-fifth Infantry, who, being sworn according to law, deposes and says:

About 12 o'clock midnight August 13, 1906, I was asleep in my bunk in my company quarters; I was awakened by firing; this firing sounded like a volley from about six guns; the reports did not sound like the report of the service rifle; the flash of the guns was reflected into my squad room. I thought the post was being fired upon from the town of Brownsville. I dressed, got my rifle as soon as the arm racks were opened, and fell in with my company. Deponent further says that he knows nothing as to what persons did this shooting; that he heard several men talking together about 8.30 p. m. on the night the shooting took place; these men were apparently coming in from the main gate of the post; one man asked, "What would you do if they shot us up?" or words to that effect; one of the others replied, "I would get my rifle and shoot back at them," or words to that effect. Deponent further says that he was near a window in the second story of the barracks, too far away to recognize the men; that they went toward the east part of post.

WILLIAM A. MATTHEWS,

Private, Company D, Twenty-fifth Infantry.

Subscribed and sworn to before me at Fort Brown, Tex., this 19th day of August, 1906.

SAMUEL P. LYON,

Captain, Twenty-fifth Infantry,

Trial Officer, Summary Court.

FORT BROWN, *State of Texas, ss:*

Personally appeared before me, the undersigned authority, one John Henry, a private of Company D, Twenty-fifth Infantry, who being duly sworn according to law, deposes and says:

About midnight, August 13, 1906, I was asleep in my bunk at the corral. I was awakened by some civilian teamsters who said that there had been firing on the post, but that it was all over. I went back to sleep and did not get out of bed until the next morning. I do not know who did the firing, nor what caused it, nor anything about it.

Further deponent saith not.

JOHN HENRY,

Private, Company D, Twenty-fifth Infantry.

Subscribed and sworn to before me, at Fort Reno, Okla., this 3d day of September, 1906.

SAMUEL P. LYON,

Captain, Twenty-fifth Infantry,

Trial Officer, Summary Court.

FORT BROWN, *State of Texas, ss:*

Personally appeared before me, the undersigned authority, one Alexander Ash, a private of Company D, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

About 12 o'clock midnight, August 13, 1906, I was on post No. 4, which extends around the quartermaster and commissary storehouses. The first unusual thing that happened was two shots fired from somewhere beyond the hospital

from where I was. I immediately hurried to that end of my post, and then a lot more shots were fired from the vicinity of the rear of barracks. I can not say positively where these shots were fired, but it sounded as if they came from that vicinity. I have no idea who did the shooting, citizens or soldiers. I heard nothing before this night that would lead me to believe that there was going to be any trouble. I have heard nothing since this night as to who did the firing or for what reason.

Further deponent saith not.

ALEXANDER ASH,
Private, Company D, Twenty-fifth Infantry.

Subscribed and sworn to before me, at Fort Brown, Tex., this 19th day of August, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.

FORT BROWN, *State of Texas, ss:*

Personally appeared before me, the undersigned authority, one Joseph H. Howard, private of Company D, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

About 12 midnight, Monday, August 13, 1906, I was a sentinel on guard on post No. 2, which extends completely around the four barracks. The first thing that occurred that was unusual was a shot fired in the road opposite where I was at the time, on my post opposite the interval between B and C Company quarters. Several other shots followed in quick succession, and after a short interval what sounded like a fusilade of shots. My first impression was that I was being fired upon. I shouted the alarm after I had looked in that direction and had been unable to see anything. Then I ran to the front of barracks, passing between B and C Company quarters, and there stayed until the companies had formed, when I returned to that portion of my post. I did not see anyone cross my post except men going to and from the closets before taps. After the shooting men were stationed along the wall alongside of my post. At the time of the shooting the scavenger was at work at the closets along the wall. I do not know who did the shooting. The reports sounded like rifle shots to me. I should judge about fifty or more shots were fired.

Further deponent saith not.

JOSEPH H. HOWARD,
Private, Company D, Twenty-fifth Infantry.

Subscribed and sworn to before me at Fort Brown, Tex., this 20th day of August, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.

Personally appeared before me, the undersigned authority, one Lawrence Daniel, a private of Company B, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

I was on guard on the night of the 13th of August, 1906. I was asleep and the firing woke me up. Sergeant Reid said, "Fall in, guard," and I fell in with the rest of the guard. Sergeant Reid put me on post at the guardhouse. The noise sounded like about twelve men were shooting. I heard one bullet pass over, about one hundred yards in front of me. It seemed to come from town and go toward the lake. The firing had been going on for about ten sec-

onds and a good many shots had been fired when the commander of the guard, Sergeant Reid, had "call to arms" sounded.

And further deponent saith not.

LAWRENCE DANIEL,
Company B, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 25th day of September, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry, Summary Court.

Personally appeared before me, the undersigned authority, one James A. Simmons, a private of Company C, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

That he was asleep in a house in Brownsville, Tex., on the night of August 13-14, 1906, when he was awakened some time in the middle of the night by his wife, who asked him if he heard the shooting. That he then heard some shooting and trumpet calls some distance away, and got up and dressed and looked out of the door. The shooting then stopt and he then went back to bed. That the above is all that he knew of there being any shooting on this night until he was told about it the next morning at Fort Brown. That he saw no shooting. That he has no reason to suspect any particular person or persons of doing any shooting on this night.

And further the deponent saith not.

JAMES A. SIMMONS,
Company C, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 12th day of September, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry, Summary Court.

Personally appeared before me, the undersigned authority, one William J. Kernan, a private of Company B, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

I was asleep on my bunk in quarters when the firing took place at Brownsville on the night of August 13, 1906. The trumpet blowing call to arms woke me up. I jumped up and started down the steps; some one hollered to me to come back and get my gun. Then Sergeant Jackson came with the keys and unlocked the rack and I got my rifle out and went down and fell in ranks. The shooting seemed to be right down in rear of quarters, and I thought that some of the civilians had broken in and was shooting us up. I did not hear any bullets, but I still think that it was civilians, because they did not like us in the town; and our men was in ranks answering to their names while some shooting was still going on.

And further the deponent saith not.

WILLIAM J. KERNAN,
Company B, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 25th day of September, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry, Summary Court.

FORT BROWN, *State of Texas*, ss:

Personally appeared before me, the undersigned authority, one Samuel E. Scott, private of Company D, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

About midnight August 13, 1906, I was asleep in my bunk in barracks. I was awakened by the sound of shooting somewhere in the rear of barracks. I did not hear very many shots fired. When I woke up I commenced to dress; then call to arms went, and I got my gun and fell in ranks with the company. I do not know who did the firing, nor what caused it, nor anything about it.

Further deponent saith not.

SAMUEL E. SCOTT,

Private, Company D, Twenty-fifth Infantry.

Subscribed and sworn to before me at Fort Reno, Okla., this 3d day of September, 1906.

SAMUEL P. LYON,

*Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.*

FORT BROWN, *State of Texas*, ss:

Personally appeared before me, the undersigned authority, one William Van Hook, a private of Company D, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

About midnight August 13, 1906, I was asleep in my bed in barracks. I was awakened by the noise in the squad room. I commenced to dress and heard some shots fired outside in the town somewhere. I first thought that it was the alarm for fire, but when call to arms sounded and I got my gun and fell in with the rest of the company, I thought the post was being fired on. I do not know who did the firing, nor do I know what caused it.

Further deponent saith not.

WILLIAM VAN HOOK,

Private, Company D, Twenty-fifth Infantry.

Subscribed and sworn to before me at Fort Brown, Tex., this 22d day of August, 1906.

SAMUEL P. LYON,

*Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.*

Personally appeared before me, the undersigned authority, one Lewis Williams, a private of Company C, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

That he was asleep in his bunk in his company quarters at Fort Brown, Tex., on the night of August 13-14, 1906, when he was awakened by the sound of call to arms some time in the middle of the night. That he then got up and dressed and got his rifle and fell in line with his company in front of the quarters. That he heard one or two shots after he got in line, but none before. There was a good deal of noise in the room where he was dressing. The noise of the shots he heard came from in rear of quarters. That he does not know who did this shooting, nor has he any reason to suspect any particular person or persons of being concerned in it.

And further the deponent saith not.

LEWIS WILLIAMS,

Company C, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 12th day of September, 1906.

SAMUEL P. LYON,

Captain, Twenty-fifth Infantry, Summary Court.

Personally appeared before me, the undersigned authority, one Newton Carlisle, a sergeant of Company C, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

That he was asleep in his bunk in his company quarters at Fort Brown, Tex., on the night of August 13-14, 1906, when he was awakened some time in the middle of the night by the sound of shooting. That he got up and dressed, and while he was dressing call to arms sounded outside of the quarters. That he then went to the gun racks, and after getting his gun went out and fell in with the company outside of the quarters. That he did not see any of this shooting and does not know who did any of it, and has no reason to suspect any particular person or persons of being concerned in it.

And further the deponent saith not.

NEWTON CARLISLE,
Company C, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 12th day of September, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry, Summary Court.

Personally appeared before me, the undersigned authority, one Walker McCurdy, quartermaster-sergeant of Company B, Twenty-fifth Infantry, and who, being duly sworn according to law, deposes and says, as follows:

On night of August 13, 1906, I was sleeping in my room at door of the ordnance storeroom. I was waked by both firing and call to arms; both going on at same time. I tried to get my rifle, but it was locked in the storeroom, and I could not find the right keys in the dark. I went out to the company without my rifle or shoes. The roll was called, and I was ordered to bring out a box of ammunition. I went in and got a lantern, then picked out the correct key and opened the storeroom and got out a box of ammunition and opened it in front of the company. My window opens on the back side of quarters, and as I got up I saw two flashes from rifles. It seemed that they were in the street on the other side of the wall, shooting toward the river. I saw no soldiers in rear of the company barracks. When the roll had been called, and I came back for the box of ammunition, I saw a man, who I taken to be the sentinel, walking on the board walk from back of C Company's quarters toward B Company's quarters.

And further deponent saith not.

WALKER MCCURDY,
Company B, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 25th day of September, 1906.

SAMUEL P. LYON,
Captain, Twenty-fifth Infantry, Summary Court.

Personally appeared before me, the undersigned authority, one Ray Burdett, a corporal of Company B, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

When the firing began on the night of August 13, 1906, I was on guard. I was asleep on a bunk inside the guardhouse. I was waked up by "call to arms" sounding. I went out and fell in ranks. The commander of the guard sent me with two men over toward where the firing was taking place. The firing seemed to be over the wall, just in rear of B Company's quarters. The commander of the guard had ordered me to go to sentinel No. 2, who had fired and called the guard. When I got over there I met the commanding officer, and

he ordered me to remain where I was—between B and C Company's quarters. I could see the flashes and they seemed to be shooting toward B Company's quarters. About three men were firing there. I could hear some more firing, but could not tell where it was at. I am sure it wasn't inside the wall. It seemed to me to be rifles of some kind that was being fired. I think they was Winchesters. It was so dark that I could not see any persons. I have no idea who did the firing. After firing had ceased the commanding officer sent me and my two men over to the officers' line as a guard, and I remained over there where the ladies were.

And further the deponent saith not.

RAY BURDETT,

Company B, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 25th day of September, 1906.

SAMUEL P. LYON,

Captain, Twenty-fifth Infantry, Summary Court.

Personally appeared before me, the undersigned authority, one Charley Hairston, a private of Company B, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

On the night of August 13, 1906, I was on guard at Fort Brown, Tex. I was on post No. 3, which extends around the officers' quarters. I was in front of the commanding officer's quarters when the firing began. It seemed to be just behind B Company's quarters. I could see no flashes. First came six shots from a revolver in rapid succession and then a bunch of louder shots. The commanding officer came out and told me to run and tell them to sound call to arms. I was going across to the company, and when I got about halfway across the parade ground "call to arms" began to sound at the guardhouse. I have no idea who was shooting. I went over to the company and then came back to my post.

And further the deponent saith not.

CHARLEY HAIRSTON,

Company B, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 25th day of September, 1906.

SAMUEL P. LYON,

Captain, Twenty-fifth Infantry, Summary Court.

Personally appeared before me, the undersigned authority, one George W. Mitchell, a private of Company B, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says, as follows:

I was in my company quarters, asleep on my bunk, on night of August 13, 1906. Private Johnson woke me up and told me to get up, as they were shooting outside. I got up and put on my clothes. Sergeant Jackson was just unlocking the gun racks when I got my clothes on and I got my rifle and went down and fell in ranks. I had no bullets. I thought that the citizens were firing on the post because I had heard that day that some soldier had attacked some white lady down town. The noise of the shots seemed to come from the street between B and D Company barracks. I saw no flashes nor men moving in rear of quarters.

And further deponent saith not.

GEORGE W. MITCHELL,

Company B, Twenty-fifth Infantry.

Sworn to and subscribed before me at Fort Reno, Okla., this 25th day of September, 1906.

SAMUEL P. LYON,

Captain, Twenty-fifth Infantry, Summary Court.

FORT BROWN, *State of Texas, ss:*

Personally appeared before me, the undersigned authority, one Henry T. W. Brown, a private of Company D, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

About 12 o'clock midnight Monday night, August 13, 1906, I was in my bunk in barracks asleep. I was awakened by the sound of firing and ran out on to the back porch to see what was the matter. From there I heard a number of shots fired from the direction of the town. The shots sounded like pistol shots to me, because they had a dead sound. I could see flashes from the firearms as they were discharged, and the flashes indicated that the shots were being fired in the direction of the post. "Call to arms" was sounded, and I got my gun from the racks and fell into line. I know nothing whatever as to who did the firing. I have heard nothing about it either before or since that night.

Further deponent saith not.

HENRY T. W. BROWN,
Private, Company D, Twenty-fifth Infantry.

Subscribed and sworn to before me at Fort Brown, Tex., this 19th day of August, 1906.

SAMUEL P. LYON,
*Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.*

FORT BROWN, *State of Texas, ss:*

Personally appeared before me, the undersigned authority, one Edward Jordan, a private of Company D, Twenty-fifth Infantry, who, being duly sworn according to law, deposes and says:

About midnight August 13, 1906, I was asleep in my bunk in barracks. I was awakened by the sound of firing, which seemed to come from the town in rear of the quarters. My first impression was that the post was being fired on. I dressed and heard call to arms sounded. Got my gun and fell in with the company. I do not know who did the firing, nor what caused it, nor anything about it.

Further deponent saith not.

EDWARD JORDAN,
Private, Company D, Twenty-fifth Infantry.

Subscribed and sworn to before me at Fort Reno, Okla., this 4th day of September, 1906.

SAMUEL P. LYON,
*Captain, Twenty-fifth Infantry,
Trial Officer, Summary Court.*

[Inclosure No. 2.]

FORT RENO, OKLA., *September 30, 1906.*

The INSPECTOR-GENERAL,

Southwestern Division, Oklahoma City, Okla.

SIR: I have the honor to inclose you list of men of the companies and battalion noncommissioned officers' staff, First Battalion, Twenty-fifth Infantry, who were present or absent at Fort Brown, Tex., August 13, 1906.

Very respectfully.

C. W. PENROSE,
Major, Twenty-fifth Infantry, Commanding.

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[Subinclosure No. 1.]

FORT RENO, OKLA., *September 30, 1906.*

Lieut. Col. L. A. LOVERING,

*Acting Inspector-General, Southwestern
Division, Oklahoma City, Okla.*

SIR: In compliance with request, I have the honor to furnish the following information:

Battalion staff enlisted present at Fort Brown, Tex., August 13, 1906, Spottswood W. Taliaferro, battalion sergeant-major, Twenty-fifth Infantry.

Very respectfully,

L. B. CHANDLER.

*First Lieutenant and Battalion Adjutant,
Twenty-fifth Infantry, Adjutant.*

[Subinclosure No. 2.]

COMPANY B, TWENTY-FIFTH INFANTRY.

*Fort Reno, Okla., September 30, 1906.*ADJUTANT, *Fort Reno, Okla.*

SIR: I have the honor to submit the following list of men of Company B, Twenty-fifth Infantry, who were present at Fort Brown, or in the vicinity, on August 13, 1906:

No.	Name.	Rank.	No.	Name.	Rank.
1	Mingo Sanders	First sergeant.	29	Boyd Conyers	Private.
2	Walker McCurdy	Quartermaster-sergeant.	30	Carolina De Sausure	Do.
3	James R. Reid	Sergeant.	31	Lawrence Daniel	Do.
4	George Jackson	Do.	32	Ernest English	Do.
5	Luther T. Thornton	Do.	33	Shepherd Glenn	Do.
6	Jones A. Coltrane	Corporal.	34	Isaac Cooksby	Do.
7	Edward L. Daniels	Do.	35	William Hayden	Do.
8	Wade Harris	Do.	36	Charley Hairston	Do.
9	Ray Burdett	Do.	37	John Hollomon	Do.
10	Wade H. Watlington	Do.	38	Samuel R. Hopkins	Discharged.
11	Anthony Franklin	Do.	39	James Johnson	Private.
12	Leroy Horn	Cook.	40	Solomon Johnson	Do.
13	Alexander Walker	Do.	41	Frank Jones	Do.
14	Henry Jimerson	Musician.	42	Henry Jones	Do.
15	Henry Odom	Do.	43	William J. Kernan	Do.
16	James Allen	Private.	44	George Lawson	Do.
17	John B. Anderson	Do.	45	Willie Lemons	Do.
18	William Anderson	Do.	46	Samuel McGehee	Do.
19	Battier Bailey	Do.	47	George W. Mitchell	Do.
20	James Bailey	Do.	48	Isaiah Raynor	Do.
21	Elmer Brown	Do.	49	Stansberry Roberts	Do.
22	John Brown	Do.	50	William Smith	Do.
23	William Brown	Do.	51	Thomas Taylor	Do.
24	William J. Carlton	Do.	52	William Thomas	Do.
25	Harry Carmichael	Do.	53	Edward Wartfield	Do.
26	George Conn	Do.	54	Julius Wilkins	Do.
27	John Cook	Do.	55	Alfred N. Williams	Do.
28	Charles E. Cooper	Do.	56	Blister Williams	Do.
			57	Joseph L. Wilson	Do.

Absent on August 13, 1906.

No.	Name.	Rank.	Where.
1	Ruby Wilson	Private	Absent, sick.
2	William Blancy	Sergeant	On furlough.
3	Charles W. Johnson	Private	Do.
4	Lewis C. Owens	Do	Absent, sick.
5	Thomas H. Jones	Artificer	Detached service at Fort Sill, Okla.

Respectfully submitted.

J. A. HIGGINS,

First Lieutenant, Twenty-fifth Infantry, Commanding Company B.

[Subinclosure No. 3.]

List of names of men who were present in Fort Brown, Tex., on the night of August 13, 1906.

Quartermaster-Sergt. George W. Mc-Murray.	Private Robert James; since discharged.
Sergt. Samuel W. Harley.	Private Thomas Jefferson.
Sergt. Newton Carlisle.	Private Edward Johnson; in Brownsville, on pass.
Sergt. Darby W. O. Brawner.	Private George Johnson.
Sergt. George Thomas; in Brownsville, on pass.	Private John Kirkpatrick.
Corpl. Charles H. Madison.	Private Edward Lee; in Brownsville, on pass.
Corpl. Solomon P. O'Neil.	Private John W. Lewis; since discharged and reenlisted for Tenth Cavalry.
Corpl. Preston Washington.	Private Frank J. Lipscomb.
Corpl. Willie H. Miller.	Private West Logan.
Corpl. John H. Hill.	Private William Mapp.
Cook George Grier.	Private William McGuire, jr.
Cook Louis J. Baker.	Private Andrew Mitchell.
Musician James E. Armstrong.	Private Thomas L. Mosley.
Musician Walter Banks.	Private James W. Newton.
Artificer Charles E. Rudy.	Private George W. Perkins.
Private Clifford I. Adair.	Private James Perry.
Private Henry W. Arvin.	Private Oscar W. Reid.
Private Charles W. Askew.	Private Joseph Rogers.
Private Frank W. Bouncer.	Private James A. Simmons.
Private Joseph Carter; since discharged; not in service.	Private James Sinkler.
Private Perry Cisco; since discharged and reenlisted in Tenth Cavalry.	Private Calvin Smith.
Private Robert L. Collier.	Private George Smith.
Private Erasmus T. Dalbs.	Private John Smith.
Private Mark Garnon.	Private John Streater.
Private George W. Gray.	Private Robert Turner.
Private Joseph H. Gray.	Private Leartis Webb.
Private James T. Harden.	Private August Williams.
Private George W. Harris.	Private Louis Williams.
Private John T. Hawkins.	Private James Woodson.
Private Alphonse Holland.	

Members of company not present in Brownsville or vicinity on the night of August 13, 1906.

First Sergt. William Turner; at Fort Sill, Okla.
 Corpl. John Young; at Kansas City, Mo.
 Private James Williams; at Fort Bayard, N. Mex.
 Respectfully submitted,

EDGAR H. MACKLIN,
Captain, Twenty-fifth Infantry, Commanding Company C.

[Subinclosure No. 4.]

List of men of Company D, Twenty-fifth Infantry, present at Fort Brown, Tex., and vicinity, August 13, 1906.

PRESENT.

First Sergt. Jacob Frazier.	Corpl. Albert Roland.
Quartermaster-Sergt. Thomas J. Green.	Musician Hoytt Robinson.
Sergt. Israel Harris.	Musician Joseph Jones.
Sergt. Jerry E. Reeves.	Cook Charles Dade.
Sergt. Walter Adams.	Cook James Duncan; since discharged.
Corpl. Temple Thornton.	Artificer George W. Newton.
Corpl. Samuel Wheeler.	Private Ash, Alexander; since discharged.
Corpl. Charles Hawkins; on pass.	Private Ballard, James H.
Corpl. David Powell.	Private Barclay, Henry.
Corpl. Winter Washington.	

Private Battle, Sam M.	Private Jones, Charles.
Private Birdsong, William H.; since discharged.	Private Jones, John R.
Private Brown, Henry T. W.	Private Jones, William E.
Private Butler, John.	Private Jones, William R.
Private Cotton, Luther; since discharged.	Private Jordan, Edward.
Private Crooks, Richard.	Private Mapp, Wesley.
Private Davis, Henry H; since discharged.	Private Matthews, William A.
Private Darnell, Strawder.	Private Newton, James.
Private Gant, Elias.	Private Peters, Elmer.
Private Garrard, Chester; since discharged.	Private Reeves, Len.
Private Gill, James C.	Private Robinson, Edward.
Private Green, John.	Private Robinson, Henry.
Private Haley, Alonzo.	Private Rogan, Robert L.
Private Hall, George W.	Private Scott, Samuel E.
Private Harris, Barney.	Private Shanks, Joseph.
Private Henry, John; since deserted.	Private Slow, John.
Private Howard, Joseph H.	Private Sparks, Zachariah.
Private Jackson, John A.	Private Stoudemire, Taylor; since discharged.
Private Johnson, Benjamin F.	Private Van Hook, William.
Private Johnson, Walter; on pass.	Private Wickersham, Edward.
	Private Williams, Robert.
	Private Willis, Dorsie.

ABSENT.

Sergt. George Derrett; absent on rifle competition at Fort Sill, Okla.

SAMUEL P. LYON,

Captain, Twenty-fifth Infantry, Commanding Company D.

NOTE.—The remark "On pass" indicates that these men were on pass on the night of August 13, in or near Brownsville, Tex.

S. P. L.

[Inclosure No. 3.]

Notes by Major Blocksom on affidavits taken before Captain Lyon (submitted in Colonel Lovering's report).

When at Fort Brown I found a number of men positive that shots were fired toward the post. Their statements were based on flashes from rifles and sounds of bullets only. I could find no evidence of bullets striking anywhere in the post and none has yet been given. My theory (page 3 [6] of my report), sustained by the general trend of evidence given by soldiers and citizens, is that first shots (especially those toward post) were fired high (for effect only upon the minds of men in the garrison). I heard nothing of the expression "black sons of bitches," etc. It will be noticed that the affidavits containing them were made by C Company men a month or more after the occurrence. As far as known, the soldiers of that company were the only ones (with one exception) who had trouble in town before the 13th of August. Nobody in B Company seems to have heard the expression, tho the quarters were much nearer the firing than C Company's.

A. P. BLOCKSOM,
Major, Inspector-General.

BRIG. GEN. ERNEST A. GARLINGTON, INSPECTOR-GENERAL,
UNITED STATES ARMY.

WAR DEPARTMENT,
OFFICE OF THE INSPECTOR-GENERAL,
Washington, October 22, 1906.

SIR: I have the honor to submit the following report of an investigation made at Fort Sam Houston, Tex., and Fort Reno, Okla., pursuant to the following letter of instructions:

WAR DEPARTMENT,
Washington, October 4, 1906.

Brig. Gen. E. A. GARLINGTON,
Inspector-General, U. S. A.

SIR: The President directs that you proceed to the places named in the accompanying letter and endeavor to secure information that will lead to the apprehension and punishment of the men of the Twenty-fifth Infantry believed to have participated in the riotous disturbance which occurred in Brownsville, Tex., on the night of the 12th of August, 1906, resulting in the death of one and the wounding of another citizen of that city.

You are authorized to call upon the commanding general, Southwestern Division, and the commanding officers of Fort Sam Houston and Fort Reno in the prosecution of this investigation for such assistance as it may be within their power to give.

The President authorizes you to make known to those concerned the orders given by him in this case, namely: "If the guilty parties can not be discovered, the President approves the recommendation that the whole three companies implicated in this atrocious outrage should be dismissed and the men forever debarred from reenlisting in the Army or Navy of the United States."

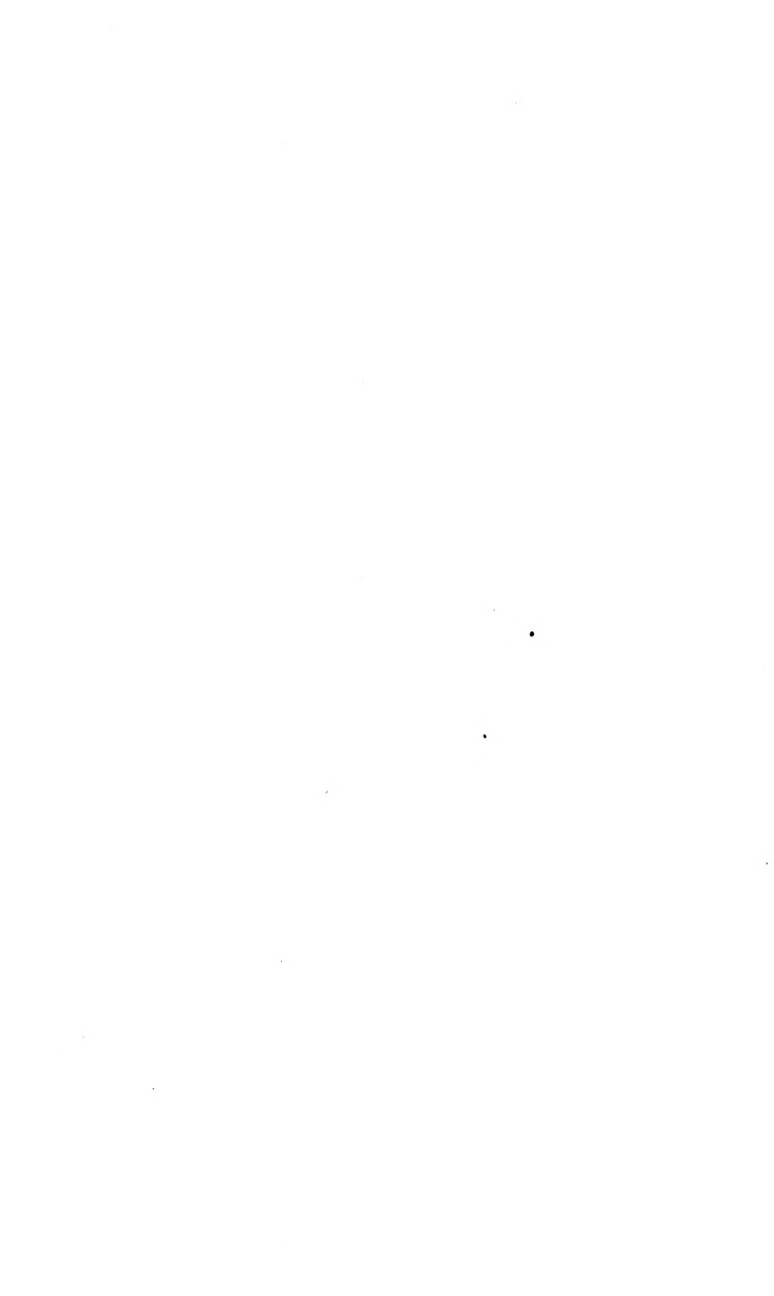
And in this connection, the President further authorizes you to make known to those concerned that unless such enlisted men of the Twenty-fifth Infantry as may have knowledge of the facts relating to the shooting, killing, and riotous conduct on the part of the men with the organizations serving at Fort Brown, Tex., on the night of the 12th of August, 1906, report to you such facts and all other circumstances within their knowledge which will assist in apprehending the guilty parties, orders will be immediately issued from the War Department discharging every man in Companies B, C, and D of the Twenty-fifth Infantry, without honor, and forever debarring them from reenlisting in the Army or Navy of the United States, as well as from employment in any civil capacity under the Government.

The time to be given to the enlisted men of Companies B, C, and D, Twenty-fifth Infantry, for consideration of this ultimatum will be determined by you. If at the end of the time designated the facts and circumstances of the occurrence in question have not been established sufficiently clearly to indicate a reasonable certainty of securing a conviction of the guilty parties by evidence obtained from enlisted men of the First Battalion, Twenty-fifth Infantry, you will report the condition by wire to The Military Secretary.

Very respectfully,

ROBERT SHAW OLIVER,
Acting Secretary of War.

I proceeded from Washington to the headquarters of the Southwestern Division, Oklahoma City, Okla., to consult with Maj. A. P. Blockson, inspector-general, who had, under orders from the com-



manding general Southwestern Division, made an exhaustive investigation of the affair at Fort Brown, Tex., of August 13, 1906, and who had submitted on August 29, 1906, a full report of the circumstances connected therewith (1157577). As a result of this consultation, nothing new was developed beyond the fact that on October 4, 1906, Lieut. Col. Leonard A. Lovering, inspector-general Southwestern Division, made an investigation at Fort Reno, Okla., into certain collateral circumstances connected with the trouble at Fort Brown, by direction of the commanding general Southwestern Division. Copy of this report is appended.^a No material facts germane to the main issue were developed by this investigation.

I then proceeded to the headquarters, Department of Texas, Fort Sam Houston, Tex., for the purpose of examining the men of the Twenty-fifth Infantry confined in the guardhouse at that place, for whom warrants had been issued at Brownsville immediately after the affair of August 13. . On the eve of my departure from Washington I had received papers informing me that the grand jury in Brownsville, Tex., had failed to find true bills against these prisoners. I examined each of the prisoners very carefully, first, in the form of general conversation, referring to the personal history of the man, including the place of birth, home, former occupation, and relations in civil life. I found several of them had lived in localities with which I was more or less familiar, one having lived at my own home, and then subjected them to a rigid examination. As soon as the subject of the trouble at Brownsville was introduced the countenance of the individual being interviewed assumed a wooden, stolid look, and each man positively denied any knowledge of the circumstances connected with or individuals concerned in the affair. Under close inquiry it was admitted by each man that he knew of the discrimination made by saloonkeepers against the enlisted men of the Twenty-fifth Infantry; that he knew Newton had been hit by a revolver in the hands of a citizen of Brownsville, and that Reed had been pushed into the mud by another citizen. Each man admitted that these occurrences had been talked of and discust within their hearing in the barracks of their respective companies, but I could extract no admission from any man that this discrimination and these acts of violence had caused any feeling of animosity on the part of the enlisted men of the Twenty-fifth Infantry against citizens of Brownsville. When this attitude on the part of the enlisted men under examination was developed, it became apparent that I could get no information from them that would assist me in locating the men actually guilty of the firing on the night of the 13th of August, 1906. I spent several hours in this interview with the men, taking each separately and immediately afterward separating him from the rest of the prisoners, so that there might be no communication between them during the examination. The next morning I called the men before me again, four at a time, beginning with the men of the longest service. I again talked with them, endeavoring to elicit information, and upon failure to succeed I notified them of the orders of the President in the case and gave them until 5 o'clock that afternoon to consider the matter. At the time set I received nothing from them.

^a See page 37.

The men confined in the Fort Sam Houston guardhouse were the noncommissioned officers holding the keys of the arm racks of the respective companies, the sergeant of the guard, and the sentinel on post in rear of company barracks on the night of the 13th of August, 1906; an enlisted man, part owner of a saloon in Brownsville; a man whose cap was alleged to have been found in the city on the night of the 13th of August (not substantiated); Private Newton, who had been assaulted; Private Reed, who had also been assaulted, and the men who were with him at the time.

From Fort Sam Houston I proceeded to Fort Reno, Okla. I called together the officers present at the station who were on duty with the Fort Brown battalion on the night of August 13, 1906. I discuss with them the means and methods employed by them contemporaneously with the occurrence and subsequently, to locate the guilty individuals. I found that absolutely nothing had been discovered; that they had found no enlisted men who would admit any knowledge of the shooting or of any circumstances, immediate or remote, connected with the same.

I then called before me, individually, a number of the enlisted men, noncommissioned officers, and privates, of long service in the Twenty-fifth Infantry, ranging from twenty-six years to five or six. I proceeded with them practically along the same lines as with the prisoners at Fort Sam Houston, and found the same mental attitude on their part; could discover absolutely nothing that would throw any light on the affair, and received the same denial that any feeling of animosity or spirit of revenge existed among the enlisted men of the Twenty-fifth Infantry against the citizens of Brownsville on account of discrimination against them in the way of equal privileges in saloons or on account of the two acts of violence against their comrades. Each man questioned admitted that he knew of these acts of violence; each had heard it talked of in his barracks; but each denied that any feeling was displayed at any time by individuals of the respective companies or by the enlisted men of the companies as a whole. I could get no explanation of this apparent indifference to the indications of hostility that such acts on the part of citizens of Brownsville disclosed, except in one instance where a sergeant of the company to which Private Newton belonged, said: the fact that Newton had been assaulted made no special impression upon him, because Newton was liable to get into a row almost any time and had been battered up on previous occasions at Fort Niobrara.

The uniform denial on the part of the enlisted men concerning the "barrack talk" in regard to these acts of hostility upon the part of certain citizens of Brownsville indicated a possible general understanding among the enlisted men of this battalion as to the position they would take in the premises, but I could find no evidence of such understanding. The secretive nature of the race, where crimes charged to members of their color are made, is well known. Under such circumstances self-protection or self-interest is the only lever by which the casket of their minds can be pried open. Acting upon this principle, the history and record of the regiment to which they belong, the part played by these old soldiers in this record, were pointed out and enlarged upon. The odium and disgrace to the bat-

talion and to its individual members by this crime were indicated. The future effect upon the individuals and upon the battalion as a whole was referred to; and, finally, the concern of the President of the United States in the matter, his desire and the desire of the War Department to separate the innocent from the guilty were explained; all without effect.

The next day the battalion was paraded without arms, every officer and enlisted man being present except two men sick in hospital. The battalion was formed in convenient arrangement. I then address them, stating who I was, namely, the Inspector-General of the Army, sent there by order of the President of the United States to afford the men of the Twenty-fifth Infantry an opportunity to give such information as might be within their power that would lead to the detection of the few men guilty of the crime of firing during the night upon citizens of a sleeping town, and talked to them along the same lines as I had done to the old soldiers; and, in conclusion, read to them the orders of the President and of the Acting Secretary of War in the premises. I informed them that they would be given until 9 o'clock the next day to consider the matter, and that I would be accessible during that limit to any soldier who possess information and had a desire to make it known. Only one man presented himself, and that was *not* to give information, but to urge his own case for exemption from the penalty imposed by the President, but still disclaiming any knowledge of the affair and stating his inability to make any discovery connected therewith; this was First Sergt. Mingo Sanders, Company B, Twenty-fifth Infantry—a man with twenty-six years' service.

I decided upon a short period for the consideration of the ultimatum given because I thought it more probable to bring results. Two months had elapsed since the occurrence on the very day I made the ultimatum known, and it appeared to me that further time for reflection was unnecessary, and that the time limit set by me would be more likely to convince the men that the penalty in case of failure was sure to follow; whereas if a longer period had been given it might have impress them with the idea that it was made more in the nature of a threat for effect.

The following men of the Twenty-fifth Infantry were not in the vicinity of the post on the night of the firing, the 13th of August, 1906: Private Ruby Wilson, Company B, absent sick; Sergt. William Blaney, Company B, on furlough; Private Charles W. Johnson, Company B, on furlough; Private Lewis C. Owens, Company B, absent sick; Artificer Thomas H. Jones, Company B, detached service at Fort Sill, Okla.; First Sergt. William Turner, Company C, at Fort Sill, Okla.; Corpl. John Young, Company C, absent at Kansas City, Mo.; Private James Williams, Company C, absent at Fort Bayard, N. Mex.; Sergt. George Derrett, Company D, detached service, Fort Sill, Okla.

The following changes have occurred in the companies of the battalion since August 13, 1906: Private Samuel R. Hopkins, Company B, discharged by expiration of service; Private Robert James, Company C, discharged by expiration of service, reenlisted for the Ninth Cavalry; Private Joseph Carter, Company C, discharged by expiration of service; Private John W. Lewis, Company C, dis-

charged by expiration of service, reenlisted in Tenth Cavalry; Private Perry Cisco, Company C, discharged by expiration of service, reenlisted in the Tenth Cavalry; Private James A. Simmons, Company C, transferred to Company A, Twenty-fifth Infantry; Private August Williams, Company C, transferred to Company A, Twenty-fifth Infantry; Private Taylor Stondemire, Company D, discharged by expiration of service, reenlisted in Ninth Cavalry; Cook James Duncan, Company D, discharged by expiration of service, reenlisted in Second Battalion, Twenty-fifth Infantry, Fort Bliss, Tex.; Private Alexander Ash, Company D, discharged by expiration of service, reenlisted in Ninth Cavalry; Sergt. Jacob Frazier, Company D, discharged by expiration of service, reenlisted in company—on furlough; Private Chester Garrard, Company D, discharged by expiration of service; Private Luther Cotton, Company D, discharged by expiration of service; Private Henry H. Davis, Company D, discharged by expiration of service; Private William H. Birdsong, Company D, discharged by expiration of service; Private John Henry, Company D, deserted.

CONCLUSION.

I recommend that orders be issued as soon as practicable, discharging, without honor, every man in Companies B, C, and D of the Twenty-fifth Infantry, serving at Fort Brown, Tex., on the night of August 13, 1906, and forever debarring them from reenlisting in the Army or Navy of the United States, as well as from employment in any civil capacity under the Government. In making this recommendation I recognize the fact that a number of men who have no direct knowledge as to the identity of the men of the Twenty-fifth Infantry who actually fired the shots on the night of the 13th of August, 1906, will incur this extreme penalty.

It has been established, by careful investigation, beyond reasonable doubt that the firing into the houses of the citizens of Brownsville, while the inhabitants thereof were pursuing their peaceful vocation or sleeping, and by which one citizen was killed and the chief of police so seriously wounded that he lost an arm, was done by enlisted men of the Twenty-fifth Infantry belonging to the battalion stationed at Fort Brown. After due opportunity and notice, the enlisted men of the Twenty-fifth Infantry have failed to tell all that it is reasonable to believe they know concerning the shooting. If they had done so, if they had been willing to relate all the circumstances—instances preliminary to the trouble—it is extremely probable that a clue sufficiently definite to lead to results would have been disclosed. They appear to stand together in a determination to resist the detection of the guilty; therefore they should stand together when the penalty falls. A forceful lesson should be given to the Army at large, and especially to the noncommissioned officers, that their duty does not cease upon the drill ground, with the calling of the company rolls, making check inspections, and other duty of formal character, but that their responsibilities of office accompany them everywhere and at all times; that it is their duty to become thoroly acquainted with the individual members of their respective units; to know their characteristics; to be able at all times to gage their temper, in order to

discover the beginning of discontent or of mutinous intentions, and to anticipate any organized act of disorder; that they must notify their officers at once of any such conditions. Moreover, the people of the United States, wherever they live, must feel assured that the men wearing the uniform of the Army are their protectors, and not midnight assassins or riotous disturbers of the peace of the community in which they may be stationed.

No absolutely accurate verification of the rifles and men of the battalion was made on the night of the 13th of August in time to account for all the rifles or all the men at the beginning of the firing or immediately upon its conclusion. This failure is explained as follows: The commanding officer and his associates, when the alarm was sounded and they heard the firing, assumed that it came from the city of Brownsville; and that the guns were in the hands of civilians; in other words, that the garrison was being fired into from the outside by civilians. It does not appear to have occurred to any of them that certain enlisted men of the Twenty-fifth Infantry had possession of their arms, and were committing the crime of firing into the houses and upon the citizens of Brownsville, until the Mayor of the city came into the garrison and informed the commanding officer, Major Penrose, that one man had been killed and another wounded by his soldiers.

I return herewith all the papers in the case.

Very respectfully,

E. A. GARLINGTON,
Inspector-General.

THE MILITARY SECRETARY,
War Department.

APPENDIX 2.

BROWNSVILLE, TEX., *November 27, 1906.*

MY DEAR SIR: In view of the expressions of deprecation and criticism coming from certain quarters at this time regarding the President's action through your Department in ordering the discharge for cause and "without honor" of the three companies of colored troops recently stationed at Brownsville, I feel constrained to write you this letter from this place, thinking that possibly your personal knowledge of the antecedents of the writer might give it some added weight with yourself.

As a citizen and resident of Illinois, as an antislavery advocate when that phrase had a meaning, and as a life-long Republican who served in the Union army throughout the civil war, I shall at least not be suspected of prejudice against men of color as such. I feel sure that only carefully disseminated misinformation as to the facts can account for the present gross misapprehension on the part of some persons and journals at the North.

Business interests bring me frequently to Brownsville, where I have found a particularly placid and well ordered community. Arriving here immediately after the midnight attack upon this city by a part of the colored garrison of Fort Brown, I have improved my abundant opportunity for gathering, personally and privately, on the spot and at first hands, and for carefully sifting all material facts bearing upon the deplorable event. Without rehearsing details, I wish to assure you that an absolutely unprejudiced investigation, continued after all local excitement had subsided, confirms in every particular the conclusions reached by the two army officers sent here by your Department, upon which the President has acted, as well as the clear and temperate statement sent out immediately after the tragedy by Chairman William Kelly, of the Brownsville Citizens' Committee. Captain Kelly is a veteran officer of the Union Army, president of the First National Bank here, and a citizen of the highest character, who could have no motive for magnifying the gravity of the occurrence. His associates on this committee and in its investigations included leading State, Federal, county, and municipal officials, all of whom were present in Brownsville on the night of the outrage and throughout the subsequent events. The committee's membership also embraced the most prominent private citizens of all vocations, including many of Northern birth and antecedents. The committee's report is doubtless on your table or in your files. It constitutes the authorized, dignified, and sufficient utterance of this community, and it probably embodies the most conclusive and damning indictment ever found against soldiers of any race wearing the uniform and wielding the weapons of a civilized government.

Next to the window where I am now writing is a cottage home where a children's party had just broken up before the house was riddled with at least twenty-three United States bullets, fired by United States troops, from United States Springfield rifles, at close range, necessarily with the purpose of killing or maiming the inmates, including the parents and children, who were still up in the well-lighted house and whose escape from death, under the circumstances, was astonishing. On another street I daily look upon the fresh bullet scars where a volley from similar Government rifles was fired into the side and windows of the Miller Hotel, occupied at the time by sleeping or frightened guests from abroad, who could not possibly have given any offense to the assailants. Any day the Brownsville lieutenant of police, Dominguez, again on duty from hospital, may be seen carrying an empty sleeve because he got in the way of Federal soldiers from the adjacent garrison when they were shooting up the town. And not far away is the fresh grave of an unoffending citizen of this place, a boy in years, who was wantonly shot down while unarmed and attempting to escape the astonishing rain of bullets.

The well-attested evidence, controverted by none, is that the colored troops were treated here in Brownsville with the same consideration with which colored soldiers of similar bearing are treated in garrison towns of northern States; that, on the other hand, the street conduct of some of them was often aggressively and causelessly insolent toward both white men and women; that one attempted assault upon a white woman was made by a negro soldier in uniform; that there was no known provocation for the murderous raid by the negro soldiers, unless it can be called a provocation that the drinkers among them were provided with separate bars in certain saloons, and that on two occasions individual insolence was resented by individual citizens, both of whom happen to have been Republican Federal officials; that there was no "riot" and no "street row," as many newspapers persist in calling the raid, but there was simply a cold-blooded conspiracy of the most cowardly possible sort to terrorize the entire community and kill or injure men, women, and children in their homes and beds or on the streets, and this at an hour of the night when concerted or effective resistance or defense was out of the question, and when detection by identification of the uniformed criminals outside of the garrison was well-nigh impossible. No defense being practicable, none was made. So far as I can learn not a shot was fired by citizens at the attacking soldiers or at the fort. The soldiers were the aggressors from start to finish. They met with no resistance during their assault and had things their own way.

To one who knows the facts as I learn them here, and who therefore appreciates the enormity of the prearranged cooperative crime, the present attempt to make martyrs of any portion of the discharged men would be appalling if it were not grotesque. If the persons who actually did the firing could have been identified and tried they would doubtless have suffered what they deserve— the penalty of a shameful death. Every soldier who possesses incriminating knowledge of the facts has, by refusing to testify, made himself legally as well as morally an accessory after the fact to the crime of murder. It equally follows, as it seems to me, that every member of the battalion who, however innocent personally both of actual participation and of actual guilty knowledge, has chosen to stand as a silent or outspoken champion of

his suspected comrades, is himself morally implicated, and unfit to wear the uniform of an American soldier. He has shown himself an unsafe person to be employed as a defender of the public welfare and of the nation's honor. Inasmuch as, so far as known, not one member of the disgraced battalion has thus far seen fit to act the part of an honorable citizen and soldier by at least manifesting a willingness to aid the Government to fix the primary responsibility where it belongs, the entire membership of the three companies rightfully share a common ignominy. Besides, all the circumstances of the case leave very little doubt in my mind that a very large proportion of the command are in possession of knowledge which, if revealed, would lead to the prompt detection of the men who did the actual firing.

Without presuming to pass judgment upon any part of the conduct of the white commissioned officers who were in charge of the Brownsville garrison, which conduct is doubtless receiving the attention of your Department, I have been greatly surprised by several facts relating to the discipline maintained at the post. For example, at the outset it seemed amazing to me that neither the commanding officer, the officer of the day, nor the officer of the guard should have known anything of the bloody event. My amazement was increased when I learned that the officer of the day had, earlier in the evening, gone to his private quarters and not only removed his sword, but had undressed, gone to bed, and was sound asleep throughout the entire occurrence.

I believe no course other than the moderate and lawful one which he has pursued was or is open to the President unless all semblance of decent discipline in our Army is to be ended, and unless every American community, North and South alike, is to be given cause to dread the proximity of a negro garrison as it would that of an encampment of paid, armed, and uniformed assassins. It is not a sectional matter. I find here little, if any, animosity toward colored troops as such. White soldiers guilty of like conduct would be dreaded and detested quite as much as black ones, and in Boston as well as in Brownsville.

I sympathize with the colored people in their upward struggle in America against fearful odds. I believe the most damaging service that can be rendered them as a race in this their period of test and transition is that of championing or excusing the criminal element in their ranks, as some members of both races seem to be doing at the present time. Incidentally, this sanguinary Brownsville episode seems to mark a sudden and inexplicable reversion to unprovoked primeval savagery by considerable numbers of trained, veteran negro soldiers, which suggests serious thoughts upon the whole racial problem.

But that is another matter, and the present duty for every citizen, North and South, white and black alike, as it appears to me, is to acquaint himself with the facts in this particular case, as officially ascertained, and then voice his emphatic approval of President Roosevelt's necessary and admirable course in the premises. I can imagine no conduct on the part of members of a military garrison which would surpass in atrocity the Brownsville crime of August 13, and but for the fact that ironclad conspiracy of silence on the part of the entire force of enlisted men has thus far rendered detection and real punishment impossible the present sweeping dismissal would not be required.

It goes without saying that such discharge from service is not punished. As punishment it would be farcical in its leniency. It is at

utmost a severance of relations between employer and employed—a determination of the Government's responsibility for the conduct of men who have shown that they can not be trusted. It is to the last degree deplorable that adequate penalty can not be inflicted at this time, but in the absence of such penalty the good name of every colored soldier remaining in the Army, and of the colored race in America, demands that they unite with all good citizens in placing these criminals and their sympathizing comrades in the pillory of public execration.

Very truly, yours,

A. B. NETTLETON.

Hon. W. H. TAFT,

Secretary of War, Washington, D. C.

APPENDIX 3.

WAR DEPARTMENT, THE MILITARY SECRETARY'S OFFICE.

[Memorandum for the Secretary of War.]

In the volunteer service, during the civil war, there occurred numerous instances of the summary discharge of large numbers of men because of misconduct on their part. Following are some of those instances:

The members of Company A, First Eastern Shore Maryland Infantry Volunteers, were mustered out of service August 16, 1862, by order of the general commanding the Eighth Army Corps, because they refused to serve in Virginia.

The members of Company K, First Eastern Shore Maryland Infantry Volunteers, were dishonorably discharged, without trial, July 2, 1863, pursuant to the order of the general commanding the Eighth Army Corps, subject to the approval of the Secretary of War, for refusing to leave the section of the State in which it was claimed that they had enlisted to serve. The action was approved by the Secretary of War July 23, 1863.

The First Regiment United States Reserve Corps (Missouri Infantry) was mustered out of service during September and October, 1862, pursuant to orders of the War Department, on account of the regiment being in a state bordering closely on mutiny, as a result of alleged misunderstanding as to the terms of enlistment.

Companies H, I, and K, Fifth Missouri Cavalry, and Company G, Fourth Missouri Cavalry, were mustered out of the service of the United States, without trial by court-martial, in pursuance of orders from headquarters, district of Missouri, dated September 20, 1862, by reason of mutinous conduct and disaffection of the majority of the members of those companies.

Company C, Fremont Body Guard, was summarily discharged by order of Major-General Halleck November 30, 1861, on account of the members refusing to be consolidated with any other organization of Missouri Volunteers.

The members of Company G, Tenth New Jersey Infantry Volunteers, were discharged without trial April 8, 1862, pursuant to orders from the War Department, because they refused to do duty as infantry, claiming that they were deceived into the belief that they were entering the cavalry branch when they enlisted.

The Eleventh Regiment New York Infantry Volunteers (First Fire Zouaves) was mustered out of service June 2, 1862, pursuant to orders from the War Department, by reason of general demoralization,

numerous desertions, and at the request of officers and enlisted men of the organization.

The Sixtieth Regiment Ohio Infantry Volunteers was summarily discharged November 10, 1862, pursuant to a telegram from the War Department, because the regiment was disorganized, mutinous, and worthless.

F. C. AINSWORTH,
The Military Secretary.

DECEMBER 5, 1906.

APPENDIX 4.

THE MILITARY SECRETARY'S OFFICE,

WAR DEPARTMENT,

Washington, D. C., December 1, 1906.

MY DEAR MR. LOEB: Herewith I send you a clipping from the Washington Post of November 28, 1906, containing the article referred to in your note of this morning.

The "Captain" Hesse referred to in that article was Corpl. John C. Hesse of Company G, Eighth Infantry, and he was clerk at regimental headquarters at the time of the occurrence. Subsequently, when the regiment was surrendered to the Confederates by General Twiggs, Corporal Hesse saved the regimental flags by wrapping them around his body, under his clothing, and brought them north in safety, receiving afterwards a medal of honor for his action.

Mr. Hesse has been a clerk in the War Department since 1861, and is now a chief of division in The Military Secretary's Office.

Very truly, yours,

F. C. AINSWORTH,

The Military Secretary.

HON. WILLIAM LOEB, JR.,

Secretary to the President, Washington, D. C.

[Inclosure.]

[From the Washington Post, Wednesday, November 28, 1906.]

LEE PUNISHED TROOPS—ENTIRE COMPANY DISBANDED BECAUSE OF LYNCHING—LIKE THE BROWNSVILLE CASE—CAPT. J. C. HESSE TELLS OF AFFAIR DOWN IN TEXAS JUST BEFORE THE CIVIL WAR WHICH IS A PARTIAL PRECEDENT FOR PRESIDENT ROOSEVELT'S NOW FAMOUS ORDER SOME FEATURES IDENTICAL.

A case somewhat similar to the recent dismissal, by Presidential order, of the three companies of colored troops because of the trouble at Brownsville, Tex., is that of the discharge of Company G, of the Eighth Regiment, at Fort Davis, Tex., in the summer of 1860.

In the Brownsville incident, as a result of the alleged rioting of the soldiers, one man, a bartender, was killed. The victim in the Fort Davis affair also was a bartender, he having been lynched by unknown parties, supposed to be soldiers, after he had killed a member of the company by striking him with his fist. The soldiers at Brownsville were ordered dismissed without honor by the President, while the soldiers at Fort Davis were transferred to other companies and not dismissed until they had served out their terms of enlistment.

The latter incident occurred during the administration of President Buchanan, but there is no record that the action in the case was taken by virtue of any order given by him. The responsibility for the order was assumed by Robert E. Lee, later the famous Confederate general, who was at that time in command of United States troops in Texas.

NO RECORD OF DISMISSAL.

Possibly on account of the civil war breaking out soon after the incident, or it might have been because of the destruction of the

records in the case before they reached the War Department, it is thought no official record of the dismissal of the company is in existence. At least so says Capt. J. C. Hesse, who is probably the only surviving member of the company, now employed in the office of The Military Secretary of the Army.

Captain Hesse, in speaking of the occurrence yesterday, said he had often regretted he had kept no diary during his army service, referring especially to the affair at Fort Davis, which, he said, he regarded as one of the most interesting of his career. Although he was transferred with the other 65 members of the company, and it was ordered that at the end of his enlistment he should not be allowed to reenlist, Captain Hesse, through a personal appeal to Colonel Lee, and on account of his previous record for integrity, was absolved from any blame in the matter and was given a clear record. He had been transferred to Company A of the Eighth Regiment, and at the end of his term he enlisted again and served with honor in the civil war. Before the end of the war he was transferred to Washington to take up work in the general service.

FLED FOR HIS LIFE.

"It happened on the night of St. Patrick's Day in 1860," said Captain Hesse. "After tattoo some of the soldiers went into a saloon, where, in the midst of a quarrel, the barkeeper struck one of the men on the neck, causing his death. The occurrence caused great excitement among the men, and the barkeeper fled for his life. Soon after he turned up at post headquarters and appealed that he be saved from the hands of the mob, which he said was pursuing him. He was ordered placed in the guardhouse, and the guard was increased.

"The next night the corporal of the guard took four of the men for the purpose of making the 'grand rounds.' During the absence of the corporal and the men the guardhouse was forced open and the barkeeper taken away. The corporal, returning a half hour later, instituted a search with the result that the barkeeper was found hanging to a tree, dead, his body yet warm.

"The alarm was given immediately to the officer of the day, who ordered that an investigation be made of the quarters of the soldiers and of every other person at the fort. As a result it was found that every man was in his bunk, where all apparently had been asleep for several hours. The mystery has never been cleared up, so far as I know, to this day.

"However," continued Captain Hesse, "seven enlisted men were arrested on suspicion of being implicated in the lynching, and were taken to El Paso, 150 miles distant, in which town was located the nearest civil court at that time. There they were tried and acquitted.

LEE ORDERED DISBANDMENT.

"Col. Washington Seawell, who was the commanding officer of the fort, reported the affair to Colonel Lee, who was in command of the Department of Texas, with the result that an investigation was made in the manner prescribed by the Army Regulations. The inquiry, although rigid, failed to fasten the blame on any person, and at its conclusion Colonel Lee ordered the company to be disbanded and the members transferred to other companies to be discharged at the end of their enlistments without honor—that is, without the right to reenlist in the Army."

APPENDIX 5.

NEW ORLEANS, LA., *December 4, 1906.*

SIR: About six years ago, Harry McDonald, a white United States soldier, of Fort St. Philip, La., while intoxicated, followed James Butler, a white citizen, at night to his home above Fort St. Philip and tried to force Butler to take him into his house, the latter refusing, McDonald shot and killed him. After McDonald's return to the fort, news of the homicide having spread, the latter was suspected, arrested, and searched; his revolver was carefully examined, its recent discharge discovered, and every soldier, from the commanding officer to the humblest private, united then and there and at the trial in ferreting out all the evidence in their power about this crime. The accused was convicted of murder, and is now in the Louisiana penitentiary for life.

Again, about four years ago, at the same fort, Harry Morgan, a private in one of the United States Artillery companies, was charged with killing John H. McCloskey in a drunken brawl at night in one of the grogeries which cause so many similar crimes in this country. Though his fellow soldiers, believing Morgan was not guilty of this crime, raised a fund for his defense, every soldier and employee at that fort volunteered all they knew, both before and at the trial on the witness stand, about this case. Morgan was acquitted by a jury of white citizens in Plaquemines Parish.

Once since then, in my official capacity, I tried and convicted United States soldiers of a lesser offense—assault and battery—committed above Fort Jackson, on the west bank of the Mississippi River, and again the white comrades in arms of the accused told the whole story of the trouble. Each of these cases occurred out of hearing of the forts, and but for the evidence of their brother soldiers, either then with the accused or who subsequently identified them with the crimes, there would have been a failure of justice.

In my own district twenty-two years ago, after a dispute over race precedence at a liquor bar at Dedrick Wischusen's store, in the parish of Plaquemines, Charles Campbell, a colored man, drew a pistol there and shot Theodore Tripkovich, a splendid type of an Austrian, dead. A jury, drawn by Republican commissioners, largely composed of colored men, to their eternal credit, sent Campbell to the scaffold for this crime, and he was hung.

The true friends of the colored people will teach them, as you are doing, that crimes can not be condoned or concealed by them without its reacting terribly on the race.

Respectfully,

JAMES WILKINSON,

District Attorney, Twenty-ninth Judicial District.

Hon. THEODORE ROOSEVELT,

President of the United States.

These cases are all of record.

J. W.



APPENDIX 6.

[Official copy.]

SPECIAL FIELD } HEADQUARTERS THIRTEENTH ARMY CORPS,
ORDER No. 6. } DEPARTMENT OF THE TENNESSEE,
La Grange, Tenn., November 16, 1862.

Until further orders no passes will be granted to any civilian to pass south of Wolf River, nor will any civilian be permitted to come within our lines from south of said river.

All passes heretofore granted inconsistent with this order are hereby revoked.

II. The facts having been officially reported to the major-general commanding that a portion of the Twentieth Regiment Illinois Infantry Volunteers did on the night of the 7th of November instant at Jackson, Tenn., break into the store of G. W. Graham & Co. and take therefrom goods to the amount of \$841.40, the property of said Graham & Co., and did cut the tent of R. B. Kent and N. A. Bass and take therefrom goods to the value of \$345, the property of said Kent and Bass, and burn and destroy the tent and poles also the property of said Kent and Bass of the value of \$56.25, all of which damages amount to the sum of \$1,242.66, and it further appearing from said report that Capt. C. L. Page, Company D; Capt. I. M. North, Company E; Capt. G. W. Kennard, Company I; Lieuts. Harry King, Company B, William Seers, Company C, John Edmonston, Company E, David Wadsworth, Company I, I. Bailey, Company F, Victor H. Stevens, Company H, R. M. Evans, Company I, Charles Taylor, Company I, of said regiment, were absent from their commands at the time of the perpetration of these outrages, in violation of orders, and without proper cause, when they should have been present, and also that Capt. Orton Frisbie of Company H, acting in capacity of major, and Capt. John Tunison of Company G, the senior captain, immediately after the commission of these depredations did not exercise their authority to ferret out the men guilty of the offenses, but that on the contrary Captain Tunison interposed to prevent search and discovery of the parties really guilty, and that Captain Frisbie, after the commission of the said depredations, being in command of the regiment, remained behind twenty-four hours after the regiment marched, and the names of the individual parties guilty not having been disclosed, it is therefore ordered:

I. That the said sum of \$1,242.66 be assessed against said regiment and the officers hereinbefore named, excepting such enlisted men as were at the time sick in hospital or absent with proper authority; that the same be charged against them on the proper muster and pay rolls and the amount each is to pay noted opposite his name thereon, the

officers to be assessed pro rata with the men on the amount of their pay proper and that the same so collected will be paid by the commanding officer of the regiment to the parties entitled to the same.

II. That Capt. Orton Frisbie and Capt. John Tunison, of the Twentieth Regiment Illinois Volunteer Infantry, for willful neglect of duty and violation of orders, are hereby mustered out the service of the United States, to take effect this day.

By order of Brig. Gen. U. S. Grant.

[SEAL.]

JNO. A. RAWLINS,
Assistant Adjutant-General.





APPENDIX 7.

[The Charlotte Observer, November 29, 1906.]

PRECEDENT FOR PRESIDENT'S ACTION.

The Observer takes great pleasure in presenting below conclusive evidence that President Roosevelt's order disbanding three colored companies for an offence by some of their number is not, as has been claimed, without precedent in the military history of this country. It will be universally admitted that no higher authority than General Lee's on what is right and just in military discipline could possibly be offered. As for the authenticity of the evidence, all North Carolina will vouch in the most absolute manner for the truth of any statement sponsored by Colonel Burgwyn. And as Colonel Burgwyn says, the name of the command can be given if desired. His communication and the appended military order follow:

"I see it stated that President Roosevelt's order disbanding a battalion of colored troops is without precedent in the military history of his country. There are those now living who read the following order on dress parade and witnessed its execution. I omit the name of the command, but it can be given if desired:

"HEADQUARTERS ARMY OF NORTHERN VIRGINIA,

October —, 1864.

"General Order, No. —.

"The ——— Battalion, for cowardly conduct on every battlefield from Gettysburg to the present time, is unworthy of a place as an organization in the Army of Northern Virginia. It will be marched to division headquarters Wednesday afternoon, at 4 o'clock, and surrender its colors and be marched to the rear in disgrace. The general commanding the Army of Northern Virginia regrets that there are some brave officers and men belonging to this organization who must share in this common disgrace, but the good of the service requires it, and they must bear it as brave soldiers.

"By command of

"GEN. R. E. LEE.

"———, *Assistant Adjutant-General.*

"Yours truly,

WM. H. S. BURGWYN.

"WELDON, N. C., November 26."

It is here explicitly stated that "there are some brave officers and men belonging to this organization who must share in this common disgrace, but the good of the service requires it, and they must bear it as brave soldiers." In this case, as in the Brownsville affair, the offense was very grave, and the "good of the service" required that the innocent suffer disgrace with the guilty, since separation was impossible. That one offense occurred in time of war and the other

in time of peace makes not the least difference in principle. The unsoldierly conduct punished by General Lee could not have occurred at all in time of peace, and the riot at Brownsville could not have given a tenth of the scandal had it occurred in time of war—to each its own guilt, but each equally meriting punishment.

The Observer has always earnestly and at times vehemently insisted upon equal and exact rights before the law for the colored man. Any injustice to him by the dominant race is hateful to it. But no more than the white man is he entitled to immunity from punishment on account of race. We hold that the three companies were justly discharged from the Army, and if they had been white troops it would have made not the slightest difference in our sight. Indeed, if they had been white, no one would ever have chirped at their discharge.

We commend Colonel Burgwyn's communication to the especial consideration of our highly esteemed contemporaries, the New York Sun and the New York Evening Post.



